to participate in the Moving to Work Program. This program, renamed in the bill as the Housing Innovation Program, gives PHAs flexibility to design and test methods that achieve efficiency, reduce costs and promote self-sufficiency.

The bill also enhances HUD's Family Self-Sufficiency Act program which works to give low-income families the skills and experience needed to become economically independent.

I do, however, have major concerns with the provisions in H.R. 1851 that abandons the budget-based funding methodology. Going back to the flawed unit-based methodology like this bill proposes is a recipe for budgetary disaster.

A unit-based system lacks incentives for PHAs to maximize assistance to needy families within a fixed budget. A unit-based formula system that includes costs incurred as well as units put under lease simply tells PHAs to lease at whatever cost they want, even if it is more than the market rate and the market price for the same unit. We already know what that can mean. We have experience with a unit-based approach and have seen what it means.

In fiscal years 2003 and 2004, the Appropriations Committee shifted to a unit-based funding to spur leasing, and the result was skyrocketing per unit cost and total funding requirements that increased by 40 percent, from $9 billion to $13 billion, in 2 years. In 2005, a budget-based system was reinstituted.

We, as appropriators, can simply not afford to see a similar increase in the future. Today, in total, the section 8 program has grown to consume 60 percent of HUD's budget. Going back to a unit-based program will only increase that percentage. Simply put, as the Housing Voucher Program takes up more of HUD's budget, there will be less we will have for other housing programs.

As the former chairman of the Appropriations Subcommittee for HUD, and as the current chairman will attest, the growing Housing Voucher Program is forcing Congress to choose between section 8 vouchers and other important HUD priorities. That includes programs that support first-time ownership, home ownership, homeless facilities, and care and housing for the elderly and the disabled.

And then there is this Community Development Block Grant, which I believe virtually every Member supports because they hear from their mayor, the city council and from the county administrators on how the program makes their community better. If we're not careful, these programs will face deep cuts in future years just to accommodate the section 8 increases.

Mr. Speaker, this bill is a work in progress. It has been improved in committee, and I believe amendments before us today can improve it further. I am hopeful that as the bill works its way through into the legislative process, we can improve it even more.

Ms. CASTOR. Mr. Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I want to thank all the distinguished colleagues who have participated in this debate. Obviously this is a very, very important piece of legislation that is being brought forth today.

We have concerns with regard to the process, not in the creation of the legislation itself but in the way in which it has been brought forth to the floor and the rule that brings the legislation to the floor and establishes the terms of debate for the legislation.

I think it has been a good debate. I think we've been able to express certainly our concern with the process, as well as in the case of most Members that I have certainly heard on this debate, the evident awareness of the importance of the underlying legislation and the issue dealt with by the underlying legislation.

Having said that, Mr. Speaker, I yield back the balance of my time.

Ms. CASTOR. Mr. Speaker, I'm very pleased to thank, on behalf of the folks I represent back home in Florida and all Americans, express my thanks to Chairwoman Maxine Waters and to Chairman Barney Frank for standing up and fighting for America's families and affordable housing.

I urge my colleagues to continue the American tradition of promoting the American Dream and turning that dream into a reality for decent, safe, clean and affordable housing, particularly for the elderly, the disabled, veterans in our community, domestic violence victims and all families.

□ 1900

Mr. Speaker, I urge a ''yes'' vote on the previous question and on the rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Ms. WATERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on H.R. 1851 and insert extraneous material thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

SECTION 8 VOUCHER REFORM ACT OF 2007

The SPEAKER pro tempore (Ms. CASTOR). Pursuant to House Resolution 534 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1851.

□ 1902

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1851) to reform the housing choice voucher program under section 8 of the United States Housing Act of 1937, with Mr. WEINER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentlewoman from California (Ms. WATERS) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 30 minutes.

The Chair recognizes the gentlewoman from California.

Ms. WATERS. Mr. Chairman, I yield to myself such time as I may consume.

Mr. Chairman, I rise in strong support of H.R. 1851, the Section 8 Voucher Reform Act of 2007. As you know, I introduced H.R. 1851 on March 29, 2007. I want to thank each of my colleagues, both on the Committee on Financial Services and in the House, who have joined with me to see that this important legislation passes the House. I especially want to thank Chairman BARNEY FRANK for his leadership, Ranking Member JUDY BIGGERT, and CHRISTOPHER SHAYS for their original cosponsorship and support of H.R. 1851.

It has been less than 2 months since the Committee on Financial Services considered major reforms to the section 8 program. The Section 8 Voucher Reform Act of 2007, which passed the Committee on Financial Services by a vote of 52–9, is truly the culmination of work that began in the 109th Congress.

There are many Members of Congress who have expressed major concerns to me about the future stability of the section 8 voucher program, given the recent changes in the funding formula and its impact on tenants. This bill addresses many of those problems and will return much needed stability to the section 8 program and the 2 million low-income families who rely upon it.

We heard from the U.S. Department of Housing and Urban Development, public housing agencies, national housing interest groups and advocates, and other housing experts about the importance of reforming the section 8 program. While there is consensus that the section 8 program needed to be reformed, HUD disagrees on how to reform the program.

National housing organizations like the National Low Income Housing Coalition and the Center on Budget and Policy Priorities which represent those directly affected by the change in the funding formula agree that basing the funding for a program as important as the voucher program on data that is 3 years old is just simply bad policy.

In 2004, Congress changed how we paid public housing authorities for vouchers under lease. Instead of paying the actual cost of the voucher, the decision was made to pay for what the

voucher cost during a 3-month period in the previous year. This had disastrous consequences for PHAs. Many saw a cut in their funding.

While section 8 recipients had to bear the brunt of this policy change as waiting lists closed, many low-income families who had been waiting for affordable housing for years suddenly found housing denied to them. Because of cost concerns, some families were denied their right to move to areas that may have been a bit more expensive but had better job and educational opportunities. Some families saw an increase in rent as many PHAs scrambled to cut costs.

As families struggled under this formula, so did some of our Nation's largest PHAs. The snapshot funding system had consistently and has consistently underpaid some PHAs to the benefit of others. Because of the funding instability, these PHAs had no reason to house more families. As a result, housing authorities are sitting on $1.4 billion in unspent voucher funds. This nonuse of our voucher dollars is unacceptable because we have lost 150,000 vouchers as a direct result of the funding formula.

Clearly, this formula must be changed for the good of public housing agencies and the families they serve. HUD is just wrong in this issue. I flatly reject their just-released statement of policy on the bill. H.R. 1851 updates the voucher formula by basing funding for vouchers on the previous year's leasing and cost data.

The use of more accurate data will ensure that we stop overpaying and underpaying PHAs for vouchers, but instead come as close as we can to paying the actual cost of the voucher. This will enable HUD to better control costs than the section 8 voucher program. This funding approach was recently embraced by both Houses of Congress in H.J. Res. 20.

Vouchers are a scarce resource, but are even scarcer since the funding formula changed in 2004. Only one out of four families who are eligible for housing assistance, including vouchers, actually receive it. H.R. 1851 provides PHAs with several resources for increasing the number of families they serve.

First, the bill provides for the recapture and redistribution of most unspent voucher funds for housing agencies that have chosen not to use these dollars to PHAs that are capable and willing to spend them. This reallocation system will provide PHAs with an incentive to house more families.

Second, the bill provides tools for PHAs to pay for increased costs or emergencies without having to cut assistance to families or to request new funding from the HUD or the Congress. The bill allows PHAs to retain up to a 1-month reserve in the formula's first year. For those PHAs that need additional funds, the bill allows them to borrow up to 2 percent of their budget authority, to be repaid within the first 3 months of the following year.

Third, the bill provides an authorization of appropriation for 20,000 new incremental vouchers per year for 5 years. Congress has not authorized new vouchers since 2002.

During this period, we all know that the need for voucher assistance has grown, not declined. We are not meeting the need for housing vouchers for very low-income persons in this country, working families, the disabled and elderly. Additional vouchers are needed to make sure that the voucher program continues to keep up with the ever-expanding need for affordable housing in this Nation.

Fourth, the bill provides incentives for PHAs to increase families served by tying administrative funding to the number of families housed.

Fifth, the bill restores housing choice, an important feature of the voucher program which has been lost because of cost concerns. H.R. 1851 would eliminate the complex billing process between PHAs using portable vouchers.

Mr. Chairman, this is a bill that will restore stability and predictability to the Nation's largest Federal housing program by fixing the broken funding formula. H.R. 1851 provides for the needs of the families, public housing agencies and landlords who participate in this program.

The funding formula, however, is not the only aspect of the section 8 program in need of reform. Today, housing agencies and program recipients must deal with the complicated set of rules for the determination of rent, recertification of income and inspection of housing units. H.R. 1851 simplifies those requirements, while maintaining current affordable standards.

H.R. 1851 also includes tools to encourage voucher families to move to economic self-sufficiency. Families should not have to pay more in rent because they want to work to provide for their families. By disregarding a portion of earned income, H.R. 1851 would protect families from any resultant increases in rent.

Families also shouldn't be penalized for pursuing educational opportunities. Currently, many families in the voucher and public housing programs can find themselves excluded from work and economic opportunities because of a lack of credit history or low credit scores. The bill would allow the Department to work with the Nation's credit bureaus to allow for the reporting of the rental payment history of voucher and public housing recipients.

In addition, the bill will increase homeownership opportunities for voucher families by allowing them to use a section 8 voucher to make a down payment on their first home. Importantly, the bill provides for a change to the funding structure for family self-sufficiency coordinated to ensure that families have the tools to take advantage of these opportunities.

Without going into all of what is taken care of and what is reformed, I have tried to share the major reforms that we have created for our families who will be receiving assistance through the section 8 program.

Mr. Chairman, I reserve the balance of my time.

Mrs. BIGGERT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like first to thank all of my colleagues and their staffs from both sides of the aisle for working to craft a bipartisan section 8 reform bill that we are considering today. In particular I would like to thank Chairman FRANK and Subcommittee Chairwoman WATERS for their hard work, committee Ranking Member BACHUS for his support, and the gentleman from Connecticut, Mr. SHAYS, who joined me as an original cosponsor of this bill.

Mr. Chairman, this is a bipartisan bill that passed out of our committee by a vote of 52–9. It is similar to the section 8 reform bill that then Chairman Oxley moved through the Financial Services Committee during the last Congress. It was a bipartisan bill then too, passing out of the committee by a voice vote.

The section 8, or Housing Choice Voucher Program, is the major Federal program helping the elderly, the disabled and the very low-income families find affordable housing in the private market. Today's housing vouchers are the primary tool of assistance provided under section 8.

Many of my colleagues served in this body when housing vouchers were first proposed and implemented under a Republican administration, that of President Reagan. The Section 8 Voucher Program was designed to move people away from large concentrated housing projects, like our Cabrini-Green or Robert Taylor Homes in Chicago. It allows individuals to make decisions about where they want to live, instead of forcing them to live in large public housing projects filled with crime, poverty and despair.

For the colleagues on my side of the aisle, I should admit, quite frankly, that this bill is better than I expected it to be. We have been able to get several key issues addressed in this bill that were not addressed in last year's Republican legislation.

I want to thank Chairman WATERS, who coauthored with me a manager's amendment that the committee accepted during our markup that includes a number of provisions to increase the flexibility of project-based section 8 vouchers. It amended section 8 of the law regarding the use of vouchers to purchase manufactured homes, voucher reserves, portability, performance assessment, disabled vouchers and rent levels.

In addition, I am pleased that included in this bill is language that is identical to the Family Self-Sufficiency Act, or FSS, a bill that I introduced as a stand-alone measure. This

bill enhances HUD's FSS program by providing housing authorities with consistent coordinator funding. Housing authorities can then help more individuals move from public assistance to being self-sufficient homeowners.

Perhaps most important for Members on my side of the aisle is that this bill includes a significant expansion of Moving to Work, or the MTW program. Members on both sides of the aisle have public housing authorities in their district that seek to become Moving to Work housing authorities.

In my district, DuPage Housing Authority would like this status. However, to date, Congress has only authorized 32 housing authorities to be MTWs. During the committee markup, we increased the authorization to a total of 80, which is a remarkable achievement. In addition, the Moving to Work provisions in this bill require HUD to craft standards that will govern eligibility requirements from being considered and/or designated as a Moving to Work authority. This bill includes important tenant protections that make the MTW Program better than it is today.

Finally, I am also pleased that we included a provision that will measure the success of the program. Congress created the Moving to Work program in 1996, but it does not require HUD to establish standards and evaluate agencies' performance.

□ 1915

Now granted, the administration does not support this bill, nor did it support the Oxley bill last year or in the previous Congress.

Why? Well, because in their view, it does not reform the program enough. They believe it moves the program from one that is currently budget based to a unit-based system that Mr. KNOLLENBERG spoke about earlier. But I think that point is subject to interpretation. And politics is the art of the possible; and absent this bill, no reform is possible.

This bill does not include everything that I wanted either. The section 8 funding formula my colleagues will recall was changed in the CR earlier this year. I have on several occasions offered amendments in committee to address this formula change, and we did include in the manager's amendment a provision that will provide PHAs a cushion in the transition year so they are not penalized for CR formula change.

I believe there is more work to be done. There are 1,200 PHAs. Half of those across the country do not suffer from unjustified and significant funding cuts as a result of the new section 8 funding formula included in the CR.

Chairman FRANK has agreed to engage in a colloquy with me about this, and I look forward to doing that in a few moments. I hope we will continue to work together as we continue to address the continued shortcomings of this formula.

This is a good bill and one deserving of our support, and I urge my colleagues on both sides of the aisle to vote for it.

Mr. Chairman, I reserve the balance of my time.

Ms. WATERS. Mr. Chairman, I yield Chairman FRANK such time as he may consume.

Mr. FRANK of Massachusetts. I thank the gentlewoman, not so much for yielding but for the really extraordinary work she has done on this, the gentlewoman from California, and I want to say how much I admire the two tracks she has worked on. On the one track, she has been one of the leaders on our side in the House on the issue of Iraq and ending our involvement in the war in Iraq where I am a strong follower of her.

Simultaneously, she has engaged in some very careful and thoughtful legislative work, and I think that is the mark of a complete legislator, to be able to do the ideologically based advocacy but also work in a bipartisan way, continuing work which began when she was the ranking member and in a seamless way to go forward.

I spoke during the rule where I expressed my strong support for the legislation. I have rarely seen legislation so broadly supported by the landlords, by the local housing authorities that administer it and by the beneficiaries. There is a three-way operation here, and all of them consider this bill to be an improvement.

As the gentlewoman from Illinois said, it does not improve everything as much as everybody would like; nothing ever does. But she is correct, this is an improvement. I would ask my friend from California to yield to her so we can talk about it, but she has already done some of the things that she talked about. For instance, in the manager's amendment, we will increase the reserves available to housing authorities to avoid any damage that would come in the transition on the new funding formula. I know the gentlewoman has some other concerns, and I hope if the gentlewoman from California will yield to her, I can respond to them.

Ms. WATERS. I yield to the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentlewoman, and I would like to engage in a colloquy with Chairman FRANK at this time.

Chairman FRANK, as you may recall, the section 8 funding formula was changed through provisions in the continuing resolution. I did not support these changes because they did cut about 1,500 public housing authority slots in three counties in my congressional district. And as Chairman FRANK can verify, I have on several occasions offered amendments to change this.

I am pleased that the manager's amendment includes a provision which addresses this problem. While I am pleased that we can take productive steps towards addressing the shortcomings, I believe we can do more as we move on, and it is my understanding that members of the Appropriations Committee have included a similar provision in the fiscal year 2008 Transportation, Housing and Urban Development (HUD) Appropriations bill. Would the chairman consider supporting this?

Mr. FRANK of Massachusetts. The gentlewoman has stated this correctly. I know this is going to be in the appropriations bill. We expect it. I haven't seen the appropriations bill yet. I have great confidence in the subcommittee chairman, but I certainly agree with her in principle. And unless there is some very unusual wording which we could change, yes, I would be subject to saying, yes, that is exactly what we intend.

Mrs. BIGGERT. I thank the gentleman.

Again regarding the rebenchmarking, both the current formula and the one in this bill would base a PHA's annual funding level on a ''snapshot'' of the PHA's use of funds from the previous 12 months. However, I continue to be concerned that his annual benchmarking is unworkable when coupled with the congressional budget cycle. For this reason, I hope we can continue to work together as we move forward to address the continued shortcomings of this formula. PHAs have always stated and continue to argue that their main concern is to have predictability and certainty in funding so they can plan both voucher utilization and staffing. I know they would appreciate more predictability. If the snapshot and the rebenchmarking were done every other year, would the chairman continue to explore with me the benefits of a biennial versus annual rebenchmarking?

Mr. FRANK of Massachusetts. The answer is, again, yes. This is a very important subject which the gentlewoman from Illinois has identified. I promise we will work together. If we decide this needs to be a legislative change, I can promise the gentlelady that the committee will entertain the appropriate legislation and do that.

Mrs. BIGGERT. Again, I thank the gentleman.

In addition, I would like to ask the chairman to consider other measures to assist PHAs in the transition period and in the subsequent years. For example, I would like the chairman to consider a so-called hold-harmless provision attached to the new section 8 formula. The provision would provide PHAs with an assurance that they would not lose more than a certain percentage of funds in any given year due to the utilization rates in the previous years. The reasons for this are many, but at the heart of the matter is the simple fact that the so-called excess in funds that many PHAs were caught with when the new formula was dropped into the CR were not in fact excess at all but the result of deliberate choices, court-ordered requirements or special set-aside categories of

vouchers. The PHAs should not be losing all of these vouchers in the first year. The percentage could range from perhaps 10 to 25 percent. And again, PHAs deserve stability and predictability in funding. Would the chairman work with me to craft a hold-harmless provision to include in this bill or the appropriations bill?

Mr. FRANK of Massachusetts. The answer here is definitely yes. I think a hold-harmless provision is appropriate.

The purpose of the change, as the gentlewoman knows, in our mind was to prevent a kind of downward ratcheting in the overall usage. But consistent with that, we don't want to penalize particular authorities.

We have already done some work, for instance, with the Dade County authority to take into account the fact that their shortfall came because of a hurricane, so they were not penalized by that. But the hold-harmless provision is a perfectly reasonable one, and I agree with the gentlewoman. I promise to work with the gentlewoman to do whatever we need to do legislatively to accomplish it.

Mrs. BIGGERT. Again, I thank the chairman; and thank the gentlewoman for the time.

Ms. WATERS. Mr. Chairman, I reserve the balance of my time.

Mrs. BIGGERT. Mr. Chairman, I yield 8 minutes to the gentleman from California (Mr. GARY G. MILLER), a member of the Committee on Financial Services.

Mr. GARY G. MILLER of California. Mr. Chairman, I rise in support of H.R. 1851, the Section 8 Voucher Reform Act.

This is something we have been working on for years, and I am pleased we have it to this point today. I commend Chairman FRANK. BARNEY, you have been great to work with on these issues. When we express concerns, he is always willing to look at policy rather than politics. We have arrived at a bill we can all look at and say, there are things we might change, but overall, we all agree it is a good bill.

I would like to commend Ranking Member BACHUS for all of his help and assistance. Chairman WATERS, it has been fun working with you on this issue, as well as Ranking Member BIGGERT.

Working together in a bipartisan manner, we have produced a bill that will help the section 8 program better serve families and communities across the country.

Over the years, Congress has grappled with the skyrocketing cost of the section 8 program, which is growing so rapidly that HUD's other programs are suffering as a result.

It is not feasible for the Federal Government to continue increasing funds for a program without enacting meaningful reforms.

In the 109th Congress, I introduced legislation to improve the delivery of housing assistance to families in need by providing flexibility to local public housing authorities, PHAs, and holding them accountable for results.

The goal of my legislation was to ensure that PHAs would serve as many families as possible within their budget. While the bill before us today does not go as far as my proposal in injecting flexibility to PHAs in their administration of the entire section 8 program, H.R. 1851 does make a number of improvements to the section 8 program to reform the simplified regulations for local housing agencies.

I appreciate Chairman FRANK's willingness to work with me to allow for PHA innovation on a scale he is more comfortable with. While the bill before us does not apply flexibility to the entire program, I am pleased it at least allows a permanency and expansion of the Moving To Work program, renamed in this bill as the Housing Innovation Program, HIP.

The Moving to Work Program has allowed a small group of PHAs to create locally based housing programs outside of HUD's one-size-fits-all regulations. The program has enabled PHAs to create jobs for residents, add affordable housing stock and help families build savings.

Currently, over 24 of the more than 3,000 PHAs nationwide are participating in the Moving to Work program. H.R. 1851 provides access to more agencies nationwide seeking MTW status.

Through the new HIP program, we will be able to take away ''best practices'' to apply to the entire section 8 program in the future. I am confident that the innovation that will be produced through the flexibility provided in the HIP will demonstrate ways to truly reform section 8 so we can serve more families efficiently and help move them to self-sufficiency.

The manager's amendment, which will be debated later this evening, includes language I crafted to provide PHAs with the flexibility to establish rent structures as they see best to address the needs of their communities.

The language gives PHAs the flexibility to select from a menu of tenant rent policies, including flat rent, rents based on income ranges, rents based on percentage of income, or other innovative rent policies.

HUD and many PHAs agree that the current Federal approach to tenant rent contribution is a regressive system that penalizes residents by charging higher rents for those who gain employment and income.

If a section 8 recipient's salary increases, so does their rent. This creates a disincentive for work. Our goal should be to provide a helping hand to those who need it but also ensure that they are on a path to self-sufficiency. Rather than providing incentives for work, the current section 8 program provides incentives for people to lie about their income or to reject opportunities to increase their income since they would be forced to pay more rent. I don't think this is a message we should be sending in this program. We should be instilling responsibility and desire to achieve in our housing assistance policy, not encouraging dishonesty and creating disincentives for success.

I am pleased the chairman has worked with me on language to allow PHAs the option of setting rents in innovative ways to help families achieve self-sufficiency.

The reality is that we face a situation of growing waiting lists for section 8 vouchers without the resources to serve everyone. The answer is not to merely throw more money into an existing regressive system in a department where there are other pressing needs that need to be met. We need to move current section 8 recipients to self-sufficiency by allowing PHAs to be innovative with the money they do have, to be efficient and help as many people in need move through the program as possible.

While this bill does not go as far as I think we need it to go in terms of allowing flexibility, I believe it is a step in the right direction and will make needed improvements to the section 8 program. I look forward to the debate on the amendments tonight as I believe we can continue to improve the legislation as we move forward.

I would like to enter into a colloquy with the chairman, the gentleman from Massachusetts (Mr. FRANK).

There seems to be a misunderstanding on the part of HUD. Mr. FRANK, this bill includes a revision and expansion of the Moving to Work Program, MTW, renamed the Housing Innovation Program, HIP. Under the program authority of HIP, the Secretary may designate up to 60 public housing agencies to fully participate in the program, and an additional 20 public housing agencies may participate in the program under what is called the HIP-Lite provisions.

Under the current MTW program, authorization has been granted for 32 public housing authorities to participate in the program. However, HUD narrowly defined the legislative authority under which they could solicit new applications. HUD decided that once PHAs leave the program, no new agencies can be selected to fill their vacancy. The result is, out of 32 authorized, only 24 agencies are currently in the program.

I would like to confirm that the intent of this bill is to allow HUD to solicit new applications in order to maintain the program at its fully authorized level and to give PHAs the opportunity to fill any vacancies.

I would like to confirm that you agree that the secretary of HUD should promptly solicit new applications from PHAs interested in participating in the HIP program whenever the number of agencies is less than the total authorized level, and that would be 60 under this bill; is that correct, sir?

□ 1930

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. GARY G. MILLER of California. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, the gentleman from California is absolutely correct. The alternative interpretation would make no sense.

Of course, HUD should have and does have the authority to select replacements. What we set was a maximum number of participating agencies, and if an agency withdraws, then a new agency should be replaced.

If I may, I should note that the chairman of the subcommittee, who is such a devoted supporter of fairness, has raised some questions about the Moving to Work program, or whatever the new name is, and I have spoken with her. And I think what would be appropriate, and I think we would all agree, when we return from the summer recess to have a hearing on how the Moving to Work program is, in fact, operating, and I think that would be an appropriate thing to do.

But certainly under this law and under the agreements we reached, we set a number of housing authorities that are eligible to participate, and there shouldn't be any question, if an authority drops out, then HUD has the obligation, not just the permission, but the obligation to replace it.

Mr. GARY G. MILLER of California. I thank you.

So HUD understands, if it does drop to 50, it should be moved up promptly to 60, and I look forward to the hearing.

Ms. WATERS. Mr. Chairman, I yield to the gentleman from New Jersey (Mr. ANDREWS) 2 minutes.

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Chairman, I'd like to thank the chairwoman, my friend from California, for yielding.

The chairwoman and I came to this Congress on the very same day in 1990, and I'm extremely proud of the work she's done on this bill and gratified to support it.

I especially want to thank her for including language that I think will help underdogs, and the chairwoman has been a friend of the underdog for a very long time, and in her work in Sacramento she achieved her visions where tenants who were being mistreated by landlords, where the property was not being properly kept up and was not habitable, would be given the option of withholding rent in order to force repairs on the property. She's taken that provision and extended that principle in this bill in a way for which I salute her.

The bill contains provisions that say in situations where a public housing authority chooses, when notified of serious code violations by a tenant, it may take actions to withhold part of the section 8 voucher payment that would otherwise go to the landlord. And the purpose of this would be to empower the public housing authority under certain circumstances to deduct that amount of money and pay for the repairs.

What does this mean? It means a powerless person who doesn't have a political action committee or a lobbyist or a lot of political power but who needs their sink fixed or a broken window repaired or a heater repaired for the first time is going to have sufficient leverage to do so.

I think this will have three very important effects. First, it will be fair and right for these tenants. Second, it will be fair for landlords. If the tenant is the cause of the problem or if a landlord is acting responsibly, this poses no burden on a landlord. And third, it will help responsible local officials prevent blight and degradation of certain neighborhoods so that each person can live in an environment that's proper and good for their family.

So I want to thank the chairwoman for her characteristic advocacy on behalf of the underdog, for taking this idea, and I would urge support of the bill.

Mrs. BIGGERT. Mr. Chairman, I'd like to yield 4 minutes to the gentleman from Georgia (Mr. PRICE), a member of the committee.

Mr. PRICE of Georgia. Mr. Chairman, I want to thank my good friend from Illinois for yielding, and I want to thank also the Chair of the committee and Chair of the subcommittee for the work that they have done on this, and the ranking member.

I rise to express a few sincere and serious concerns with section 9 of the bill. This is the section that allows the public housing authorities, or the PHAs, to report the rental payments of its tenants to credit reporting agencies.

Reporting alternative data, like rental payments, to the credit reporting agencies may indeed be a very good thing. The hope obviously is that increased alternative data will help improve the credit reports for consumers and, in the long run, provide them with better and less expensive access to credit. In this increasingly credit-drive society, that's truly an important thing.

However, I've got four specific concerns with the way that the language in section 9 of this bill is written.

First is the format that this data will take. The language of the underlying bill requires the PHAs and credit reporting agencies to establish a system and format for reporting the new data. This is obviously new territory for PHAs, and they haven't done it before and aren't financial institutions and have no history of providing reporting data in the proper format.

Second concern is that this section may be incorrectly read to constitute a new requirement on the credit reporting agencies, and I would submit that this would be a drastic and significant change to our current system. Currently, credit reporting agencies must consider the timeliness of the data supplied to them. They must verify that it is accurate data, ensure that there hasn't been any case of identity fraud so that false data is not included in an unsuspecting consumer's credit file. Rental payment, clearly that information is different than other forms of commerce, and it may need to be treated differently.

A third concern is that the section, as it reads, would apply to ''families receiving tenant-based housing choice vouchers.'' Credit files historically are unique to individuals. Credit reporting agencies have no way to adjust their credit files for an entire family. So I wonder again sincerely what the real consequences of this ambiguity and potentially harmful aspect are to spreading potential financial responsibility to some without regard to accountability.

My fourth concern may be the most important, and that is, that the underlying legislation requires that the PHA, or the public housing agency, gain the permission of the family in writing before submitting the data to credit reporting agencies. This provision potentially would turn our credit reporting system on its head. It's a 100-year-old system based on the voluntary reporting of data to credit reporting agencies. If consumers are able to turn on or off when the data is reported, then it, in its essence, undermines completely the accuracy of the credit reports.

Both those who furnish the data to the credit reporting agencies and those who use that data to offer credit to consumers rely on the accuracy of these reports so that they can appropriately and responsibly price the cost of credit to a specific consumer. If someone can decide not to submit certain data to a credit reporting agency, then the accuracy of that data will be greatly compromised.

I sincerely believe that a few minor changes to the underlying legislation would indeed perfect the language in a way that would allow for new alternative data to help consumers and also to have that new data submitted in a way that does not undermine a credit reporting system that truly has become the envy of the world.

It's my hope that we can work on these concerns as this legislation moves forward, and once again, I want to thank the gentlewoman from Illinois for her time and thank the Chair of the committee and subcommittee for their work on this issue.

Ms. WATERS. Mr. Chairman, I yield to the gentleman from New Jersey (Mr. PASCRELL) 2 minutes.

(Mr. PASCRELL asked and was given permission to revise and extend his remarks.)

Mr. PASCRELL. Mr. Chairman, I'm honored to rise in support of H.R. 1851. I commend Chairman FRANK and Chairwoman WATERS for bringing this worthy legislation to the floor today.

This bipartisan bill will increase efficiency in our section 8 housing voucher

program and expand rental assistance opportunities, authorizing 20,000 new section 8 vouchers in each of the next 5 years, with a total of 100,000 new vouchers.

Section 8 rental assistance is a critical and widely used program, with approximately 2 million vouchers being distributed by more than 2,500 local public housing authorities.

I would like to draw attention to one specific provision of this legislation which will have widespread benefits, if we did nothing else today, and I think is the most meaningful thing we're doing today, by the way, if I may express my opinion, will have widespread benefits for housing authorities throughout this Nation, including those in my district.

In 2004, a new formula was instituted to fund public housing authorities that administer the section 8 program. The formula was based on a snapshot of PHA activity for May, June, and July of 2004. As a result, whatever a housing authority's needs were during that short period, they have been stuck with that number ever since. It is simply irrational to fund a program today based on what its needs were 3 years ago.

Some housing authorities were continually overfunded, some were underfunded. This provision left some housing authorities scrambling for funds and others with extra funding they couldn't access.

The bill we are considering today fixes this inefficient and outdated formula, requiring HUD to use data from the most recent 12 months to determine section 8 voucher funding. It's going to help a lot of people, a lot of people. Now funding will be guaranteed for all vouchers in use.

Even this administration has admitted that this flawed formula should be revised. I applaud the Financial Services Committee for including a fix in this legislation.

I urge my colleagues to vote in favor of H.R. 1851.

Mrs. BIGGERT. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. CAMPBELL), another member of the Financial Services Committee, to engage in a colloquy with Chairman FRANK.

Mr. CAMPBELL of California. Mr. Chairman, I thank the gentlewoman for yielding.

I just wanted to bring to the chairman's attention a situation with HUD financing that kind of makes no sense to me, and a specific situation which I'm aware of involves the Villa Nueva Apartments, which are in San Ysidro in the San Diego area of California, where the owner of this multi-family, affordable housing project wants to sell it. The buyer wants to keep it as an affordable housing project. He's committed to keep the rents unchanged, but yet since it is HUD financed, under current, I guess, rulings or something that HUD is making, that 100 percent of the proceeds of this project would actually not be available to the seller. I don't know why someone who owns something would want to sell it if they couldn't have any of the proceeds. So, as a result, the seller may not sell this project. They may hold on to it for a couple of years, and then the restrictions will expire and then they could sell it for something else.

So it seems to me that HUD's procedures on this are actually standing in the way of affordable housing companies acquiring and continuing affordable housing multi-unit projects.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of California. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I thank the gentleman from California.

I appreciate the gentleman from California making this very important point because it gives us a chance to highlight an important issue that this committee will be acting on.

I should just note that later today we will be considering an amendment on behalf of the gentleman from Massachusetts (Mr. MARKEY) and the gentlewoman from Ohio (Ms. PRYCE) in similar circumstances, and we will be directing HUD to allow these to go forward.

The gentleman just learned of this, I know, and brought it to our attention, and I would begin by saying to him, if necessary, I would be supportive of doing the same in his case. I hope it won't be necessary.

Here's the situation that may people may not understand. Forty years ago and more, or about 40 years ago, we began, not us, with the exception of Mr. DINGELL, began a program of affordable housing where the Federal Government lent people money at either no interest or very low interest in return for it being affordable, but for some reason they put what they called an expiration date of 40 years.

Now, we stand to lose a lot of housing that is good housing currently affordable. We are looking for ways to let that be transferred to others who would keep that it way. I think HUD is being overly technical in some of these interpretations. It would clearly be in everybody's interest, for no budgetary cost we can preserve these units.

By the way, if the units are lost, what then happens is, under certain laws, the current tenants are entitled to enhanced vouchers. So we would then be paying more in enhanced vouchers to a new landlord. That doesn't make sense.

I just want to make this commitment to the gentleman. I hope after today's bill, which I hope it passes and the amendments for Mr. MARKEY and Ms. PRYCE are passed, that we can then sit with HUD on a bipartisan basis and try and find a way for them to do this administratively. If they tell us that they need a small fix, if there's some legislative problem, we could do that on suspension immediately. Even the Senate would do that one quickly.

I would say this. I hope that we will, today, get HUD's attention so that we can sit with them and work this out. I would rather have it done in policy. If necessary, we'll do a little fix.

And I would also say before the end of this year, and this is high on the agenda of the gentlewoman from California and myself, because this situation occurs all over the country in everybody's district or in most districts, if necessary, we will pass a bill that will give HUD all the authority necessary to prevent this loss of affordable housing for no good reason.

So I admire the gentleman for bringing it to our attention. I think, frankly, if we pass this bill and pass the Markey-Pryce amendment, we'll probably get a better response out of HUD, and if necessary, we will legislate it.

Mr. CAMPBELL of California. Thank you.

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Ms. WATERS. I yield 2 minutes to the gentleman from California (Mr. BACA).

Mr. BACA. I want to thank my colleague for yielding. I rise also to support the Section 8 Voucher Reform Act of 2007.

I want to thank my good friend from California, Chairman MAXINE WATERS, for sponsoring this vital legislation.

I also want to thank our chair, Chairman FRANK, for his leadership and guidance in this committee.

Mr. Chairman, in 2004, when the administration decided to change the funding formula for section 8 vouchers, drastic cuts were made to the number of vouchers available. These cuts hurt needy families throughout the Nation and throughout my district. We are talking about seniors, low-income families, disabled, the poor, the disadvantaged.

In my district alone, section 8 housing vouchers, public housing units, provide affordable housing for more than 32,000 people. Can you imagine, 32,000 people right now, children and others, that would not have a home, not have a place to rent, that would be homeless if it hadn't been for section 8? This bill reverses the cut and adds an additional 20,000 vouchers so that families are not forced to choose between paying for food, their medication or rent.

We are talking about people that can't afford housing, even right now, with the inflation and the cost that is going on right now. We have got to make sure that they have a home, they have stability, and they have a roof over their head, especially for our children.

I appreciate my colleague on the other side, GARY MILLER, supporting this legislation as well. We worked on some of the amendments. I appreciate that very much.

It also contains key provisions that strengthen section 8 programs, including protection for individuals with limited English proficiency and the expansion to Moving To Work programs. I

urge my colleagues to support this most vulnerable program that helps us, and especially as it pertains to helping the poor, the disadvantaged.

I ask my colleagues to support this legislation.

Mrs. BIGGERT. Mr. Chairman, might I inquire of the time remaining on either side of the aisle?

The CHAIRMAN. The gentlewoman from Illinois has 10½ minutes.

The gentlewoman from California has 9 minutes.

Mrs. BIGGERT. Mr. Chairman, I reserve the balance of my time.

Ms. WATERS. Mr. Chairman and Members, I am so very proud of the work of this committee.

I am so very, very pleased and honored to have the opportunity to work with BARNEY FRANK. Not only is he a committed public policy maker, he is smart, and he is creative. And he is helping us to understand how to use this wonderful opportunity that has been afforded to us to do good for the people of this country.

I am so pleased about this particular bill, because I am so keenly aware of the housing crisis that we have in this country.

As we stand here this evening, there are people who are sleeping under bridges; living with them are families, children. Some of them are veterans. I come from a time and place where people did not have decent housing. I know, too, that not only has this occurred for many years in this country, where people have been living in substandard housing, even today we have people without running water. We have people without proper health facilities of any kind in their homes.

We have families that are crowded into one and two rooms. We have people whose roofs were leaking this evening. But because of this government and our ability to help government understand what it can do to help the least fortunate, we are able to pass this kind of legislation.

I want to thank my friends on the opposite side of the aisle, again, Mrs. BIGGERT, for the cooperation that I have enjoyed working with her.

Mr. Chairman, I yield as much time as he may consume to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. I thank the gentlewoman.

Mr. Chairman, again, I want to emphasize, this is a process that began when the Republicans were in power, when Mr. Ney was the chairman.

The gentlewoman from California was the ranking minority member and has continued in her chairmanship. The gentlewoman from Illinois is the ranking member. This is an example of how you can make something better and deliver better, with one exception, there is no additional money in this bill.

I hope that we will succeed in authorizing 20,000 new vouchers. That's an issue we will debate, although it is subject to appropriation, as to whether or not it gets done. I think our appropriator friends would like to do it.

But most of what this does is to improve the delivery. We talk about it a lot. It isn't always done. And in that context, we often thank the staff.

This is a case where the staff of the Financial Services Committee and subcommittee on both sides, we already did a great deal of work; this is a more technical bill than many that have come forward.

This is a less than ideological breakthrough. We hope to have some of those. We have had in the past. It's more a systemic examination of a very large program with improvements of a technical and specific sort in many aspects of it. It took a good deal of hard work, and it took a good deal of mutual cooperation.

As I said, there were some differences, and we will debate those differences, but it should be made clear that those differences come within a context of a broad agreement on making the program better.

There is a lot of talk about waste and fraud and abuse. Waste and fraud and abuse are more generally decried around here than diminished. This is a bill that will make it much less likely that money will be wasted, much less likely that there will be an abuse of the public purse. As I said, let me say in closing, it is to the credit of the gentlewoman from California, the gentlewoman from Illinois, and the people who have worked with them.

Every stakeholder is a supporter of this bill, the landlords, the tenants, the advocacy groups, the housing authorities that administer it. It is rare that you get this degree of agreement. It's a process that began with civil conversation. I am pleased to see, at least on this night, it's going to end with a civil conversation, and the product will be significant improvements in one of the most important social programs in the Federal Government.

Mrs. BIGGERT. Mr. Chairman, I yield 3 minutes to the gentlelady from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Let me thank the distinguished gentlelady from Illinois for yielding me the time.

Mr. Chairman, this is a historic occasion, a historic time. I want to express my appreciation to the chairman of the full committee, Mr. FRANK, and the chairwoman of the subcommittee, Congresswoman WATERS, and the ranking members, for what I hope will ultimately be an enormous step forward for the homeless and the underserved.

I also want to acknowledge my colleague and friend, Congressman AL GREEN, who has worked so hard to ensure that cities who have the background of Houston, Texas, are also accounted for. Those are cities that have for years had thousands of individuals on the waiting list.

I think the number 25,000 in Houston has literally become a number of the decade, because there has been a waiting list of 25,000 for as long as I can remember, having served on the Houston City Council.

I am very pleased to acknowledge that we are going to reorder the formula so that cities can borrow against moneys that are already in their account, so that the cities that have an excessive number of individuals on the waiting list can still be able to utilize those dollars.

I want to pay special attention to the resources that will be utilized for the disabled and special resources that are going to be utilized for innovative programs dealing with, for example, the housing innovation program, which has previously been Moving to Work.

One of the issues that I hope that we will look forward to is giving incentives to cities to help them reduce the waiting list. Now, you can change the formula, and I had an amendment that would provide at least a pilot study to construct, if you will, an incentive to make sure that cities took advantage of this new structure and worked hard to reduce the waiting list.

It is one thing to have the laws in place. It is another thing to have housing authorities sit by and just watch, rather than working very hard to bring down their list.

I am very grateful that we now have an understanding that there is less and less affordable housing being built in America. These individuals that use section 8 vouchers are working people, people who are paying their taxes, who cannot find housing in high-priced markets. This section 8 voucher program will allow these individuals to purchase homes. They are creative, unique and forward thinking, because they are individuals who have put their stake down in these particular areas.

I am also hoping, as I close, and I am hoping that we will continue to work on this issue, is to ensure individuals will not be put out because of combat pay for soldiers who are coming back.

I ask my colleagues to support this legislation.

Mr. Chairman, I rise in strong support of H.R. 1851, the "Section 8 Voucher Reform Act of 2007." I support this bipartisan measure for three important reasons. First, H.R. 1851 reforms Section 8 vouchers to make their allocation more efficient and targets them based on need. Second, the legislation also increases access for rural families, and expands the number of families receiving housing vouchers. Third, the bill permits families to use housing vouchers as a down payment on a first-time home purchase, and includes other provisions to encourage family self-sufficiency including incentives for families to obtain employment, increase earned income, pursue higher education, and save for retirement.

I wish to express my special thanks to the Chair of the Financial Services Committee, Mr. FRANK, for his leadership and commitment to affordable housing for low and moderate income families. Let me also thank the gentlewoman from California, Ms. WATERS, the Chair

of the Subcommittee on Housing and Community Opportunity for her yeoman work in bringing this important and much needed legislation to the House floor today.

Mr. Chairman, a strong America requires strong families and communities. Affordable housing is critical to maintaining strong families and communities. Section 8 housing vouchers provide vital rental assistance for low-income families, seniors, and the disabled to help them afford housing. The Section 8 housing voucher program contributes to the strengthening of our nation. Let me discuss briefly for our colleagues some of the more beneficial provisions in the legislation.

The legislation eliminates inefficiencies that have resulted in $1.4 billion in unused funds and provides incentives for agencies to use funds to assist more families. Thus, the voucher Funding Formula is made more efficient and will lead to an increase in the number of families receiving vouchers. And that is good because the number of housing vouchers issued has declined more than 150,000 since 2004. The bill authorizes 20,000 incremental vouchers in each of the next five years, for a total of 100,000 new vouchers.

Mr. Chairman, I also support this legislation because it protects tenant rights, promotes home ownership, and encourages economic self-sufficiency for low income voucher and public housing families. The legislation also protects housing agencies adversely affected by formula changes, by allowing them to use voucher reserves in the transition to maintain the number of families being assisted.

Homeownership is promoted because, for the first time, families will be permitted to use housing vouchers as a down-payment on a first-time home purchase, and to use vouchers for purchase of a manufactured home on leased land. Economic self-sufficiency for low income voucher and public housing families is encouraged because H.R. 1851 includes several incentives for families to obtain employment, increase earned income, pursue higher education, and save for retirement. The bill also increases voucher opportunities for lower-income working families in rural areas.

Finally, the bill contains several tenant protections, including provisions to preserve voucher families' ability to move to other areas, to address excessive voucher rent burdens, to provide for more accurate fair market rent calculations, and to protect voucher holders in units that are in need of repair.

Mr. Chairman, for millions of our fellow citizens, finding safe and affordable housing is still a constant and often futile struggle. Today, about 1.4 million households nationwide participate in the voucher program; but not all qualified applicants are guaranteed housing. The demand for housing assistance consistently exceeds the limited resources available from the Department of Housing and Urban Development and local government agencies. Long waiting lists have, unfortunately, become very common.

In my hometown of Houston, the largest city in Texas, and the fourth largest in the United States, there is a multi-year backlog of applications for individuals seeking government assistance. It is not unusual for individuals and families to be placed on the waiting list for more than three years.

I believe it imperative that something be done to reduce this backlog. That is why I offered an amendment to the bill that would establish a pilot program to aid in the reduction of Section 8 waiting list.

Mr. Chairman, I also offered an amendment providing that funds received by a section 8 family from a family member serving in the Armed Forces in a hostile combat theater be excluded from the computation of income for eligibility purposes.

The military is one of Americans most precious resources and one whose efforts ought to never be taken for granted. Daily, these men and women in uniform risk their lives to ensure the national security and safety of our country. One way to express our gratitude to them is to offer relief to their family members.

Eligibility for housing vouchers is typically based on the family size and the total annual gross income, which ought to not exceed 50 percent of the median income for the area in which they choose to live. HUD's Housing Voucher (HCV) handbook lists both special pay (except pay received by a service member who is exposed to hostile fire) and the Base Housing Allowance (BAH) as income for purposes of determining a family's income eligibility. Excluding monies received by section 8 tenants from family members serving in combat zones when evaluating income eligibility for Section 8 housing would provide a little piece of mind to the families of these soldiers serving overseas.

The final amendment I offered sought to provide economic opportunities to Section 8 tenants by requiring the Secretary of the Housing and Urban Development carry out programs whereby public housing agencies develop curriculums and policies designed to increase employment and contracting opportunities for recipients of tenant-based rental assistance under the United States Housing Act of 1937. These economic opportunities can be in the form of maintenance, inspection, and management of rental properties for which rental assistance is provided.

Families living with Section 8 vouchers can achieve self-sufficiency through active participation in education and employment. Self-sufficiency eliminates the need to be dependent on public assistance and increase one's self esteem and sense of accomplishment. My amendment was intended to help section 8 become more economically independent.

But taken as a whole, Mr. Chairman, H.R. 1851 is a very good bill and represents a significant step forward in the direction of an enlightened policy of affordable housing. Accordingly, I strongly support H.R. 1851, the "Section 8 Voucher Reform Act of 2007." I urge my colleagues to join in voting for this much need legislation.

Mrs. BIGGERT. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. GARY G. MILLER).

Mr. GARY G. MILLER of California. Mr. Chairman, we have been working on housing issues for several years. I think we do have a very good job in this House coming to an agreement. Moving to the Senate, for some reason, things just don't happen as they should on that side of the Capitol.

But we have got tremendous housing shortages in this country that we have to deal with. We have to work on HOPE VI program to be more innovative to allow the private sector to get involved. We need to be able to take and move people through the system for public housing section 8 vouchers.

But the area we are really hurting in in this country is the move-up marketplace for people coming out of section 8, coming out of public housing and to be able to move into a house that's affordable. We all have problems in many of our districts where our children go away to college; we know people who, when their kids come back, they can't afford to live in the communities in which they were raised. We know many people who may be a school teacher, a police officer, a fireman, who drive 2 hours back and forth to work because they can't afford to live within the community in which they work. That should be a focus of Congress.

We not only have to deal with the HOPE VI program, we have to deal with the public housing program, the section 8. We have to look at streamlining the system where builders and developers in this country can bring affordable housing on line and make it available for people who are moving out of government assistance into homes of their home.

The Moving To Work program, I think, is going to work very well. It allows people to retain some earnings, to build up the savings to be able to afford to move into a home for the first time. We have a lot of nonprofits in this country that provide down-payment assistance, programs who help people that can afford a payment but don't have the cash on hand within which to be able to put down and pay the closing costs to move into a home.

We have got to look at the overall industry and say, how can we be innovative? How can we be creative? And how can we help people to help themselves? Now, I am a conservative. I don't believe in government programs going on forever. But I think people come to a point in their life where they need a helping hand.

We need to look at ways to help them go on their open to become self-sufficient. That's what I hope we do in Congress, not only look at reforming the government programs we have here today to make them more innovative, make them work for people. In L.A. County, there is a 10-year wait for people to go on vouchers or public housing. That has to change.

People wait for 10 years who are just as needy or more needy sometimes than people who are receiving assistance. But we have no way of moving those people out of government programs into their own homes.

That's what we need to look at, streamlining, removing the red tape, fast tracking, have some nexus between the cost that's assessed against the project and the actual cost of that project.

I want to commend BARNEY FRANK. Over the years, he and I have worked on more legislation on housing I think than any two Members from the Republican and Democrat side together that try to create programs that work for people. Tonight's bill might not be everything they want. I know it's not

everything that MAXINE WATERS and BARNEY FRANK wants, but it was an agreement between the two of us in a bipartisan fashion, Republicans and Democrats, to come and fashion a bill that would work.

I think this bill has some innovation. It makes some changes, and I think it moves us in a better direction. Are we where we should be completely? No, but we are moving in a good direction.

I look forward to cooperation from both sides.

Ms. WATERS. Mr. Chairman, I reserve the balance of my time.

Mrs. BIGGERT. Mr. Chairman, I yield myself such time as I might consume.

In closing, I would again like to thank the subcommittee chairwoman, Ms. WATERS, Chairman FRANK and Mr. SHAYS for introducing and working on this bill. I urge my colleagues to support the bill, which received a 52–9 vote coming out of our committee.

The bill we will vote on today is a good bill. It is the result of bipartisan cooperation. It contains many provisions more than in last year's bill that help families dependent upon public assistance become families that are independent and self-sufficient tax-paying productive members of society.

It's my sincere hope that we can further improve the bill, especially the sections involving the funding formula. I thank the chairman for agreeing to work with me on this.

I truly hope that we can move this bill beyond the House during this Congress and that the Senate and the administration will work with us to reform this important program.

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America's families and American children deserve a 21st-century section 8 program.

Mr. Chairman, I urge my colleagues to support this bill, and I yield back the balance of my time.

Ms. WATERS. Mr. Chairman, I would like to take this moment to thank someone who is not here in the Congress with us at this time.

When we first started this legislation in the previous Congress, it was with Mr. Bob Ney who served as chair of the subcommittee; I was the ranking member; and we put this bill out on the floor where it passed this House, and he deserves credit for all the work that was done.

I would also like to thank some of the other members who we have not heard from this evening in general debate and hopefully we will hear from a little later on. Mr. GREEN from Texas who insisted that we expand the vouchers to make them available to the needy families who certainly have been standing in line waiting on section 8 vouchers.

I would like to thank Mr. DAVID SCOTT for being one of the most adamant and fierce defenders of the work that we have done and who has taken on the work of trying to educate some of our Members from the other side of the aisle, not only about the need, but how not to penalize the victims and people who are looking for housing opportunities who would not be able to get them but for section 8 and the work that we are doing.

With that, I would like to close by thanking the chairman who is so committed to helping those who need us most. He is certainly the kind of leader that we can depend on to make sure that everything possible is done, to utilize the time that we have been given in this committee to work for people who oftentimes have been dropped off of America's agenda. Again, he provides strong leadership. He is generous with sharing opportunities with everybody that serves on that committee. And it is because of that kind of leadership and, again, the cooperation from my friends on the opposite side of the aisle, Mrs. BIGGERT, Mr. MILLER, Mr. SHAYS, and others that we come to this floor tonight with a good strong bill that is going to help so very many people in this country, and it is the kind of public policy that makes us all feel very good about being elected officials.

Mrs. CHRISTENSEN. Madam Chairman, I rise today in support of H.R. 1851, to reform the housing choice voucher program under section 8 of the United States Housing Act of 1937. I commend the Honorable MAXINE WATERS for her leadership on this issue of pressing socioeconomic concern.

In 1937, we had a Nation still suffering from the Great Depression. In fact, in 1937, the economy fell into a recession which caused high unemployment and left many wondering how they would put a roof over their family's heads at night. In response to this problem, the United States Housing Act was enacted, which helped hard-working American families to stay off of the streets.

This bill also helped to push the United States policy of spending on infrastructure to help the economy, as promoted by the principles of Keynesian economics. In today's economy we are seeing a new problem emerge—the growing income gap.

According to a January 27, 2007, CNN report entitled, "Mind the gap: Income Inequality, State by State," Americans whose annual income places them in the top 5 percent of the income bracket "saw their incomes rise as much as 132 percent between 1980 and 2003. The bottom 20 percent of families, meanwhile, saw their incomes rise by no more than 24 percent." With such inequality today's housing crisis becomes obvious—the "haves" are purchasing more real-estate and thus driving housing costs to levels far above the budget of "have-nots."

Just as the Federal Government took the lead and helped struggling American families in 1937, we must step in and make sure their efforts are applicable to today's specific housing crisis by amending Section 8 of the United States Housing Act 1937 to address the problems of 2007.

In my district of the Virgin Islands I see multimillion dollar estates constructed in areas of previously low to moderate income. Often times this works to drive up property values and drive out those who can no longer afford to live in the area. It has driven up housing costs and even rental prices. This bill will help address this issue by adding 100,000 new Section 8 vouchers, and by expanding their use for home purchase as well as rent. It will allow a public housing agency to authorize a family in crisis to occupy housing immediately so they are not left on the streets while a slow moving bureaucratic agency "evaluates" them. H.R. 1851 also includes provisions to address existing inadequacies in the programs that have created long waiting lists and a program that has more applicants than available housing.

By passing H.R. 1851, Congress will take a much needed step towards improving a much needed program. I urge my colleagues to support this bill and help make a good program stronger and better.

Mr. ENGEL. Madam Chairman, I rise today in support of H.R. 1851, the Section 8 Voucher Reform Act of 2007. This bill will expand Section 8 Vouchers to improve system efficiency, encourage self-sufficiency, and increase the number of families who can participate. There are currently 20,370 vouchers in use in New York's 17th district which I proudly represent, and 2 million families using vouchers nationwide. These Section 8 Vouchers allow low-income families to choose the housing option that best fits their needs, and encourages permanent economic stability.

According to the National Association of Housing and Redevelopment Officials, there is funding for 150,000 vouchers that are not in use under the current Section 8 Voucher formula. By reforming Section 8 Vouchers, we put funding and vouchers in the hands of people who need them the most.

Madam Chairman, in New York we highly value Section 8 Vouchers housing. The vouchers provide much-needed assistance to families and individuals wishing to become more economically self-sufficient, but who lack the means to do so on their own. Simplifying and expanding Section 8 Vouchers will help alleviate a monumental housing crisis in the state of New York and throughout the country. H.R. 1851 relieves pressure on struggling communities and families and will bring economic security and self-sufficiency within their reach. H.R. 1851 reforms Section 8 Vouchers in a comprehensive and logical way, and I encourage my colleagues to support this important legislation.

Ms. SCHAKOWSKY. Madam Chairman, today's passage of H.R. 1851, the Section 8 Voucher Act (SERVA) will improve greatly the housing voucher system—which is already successful and has been described by the Administration as one of the federal government's most effective programs.

Safe and affordable housing is one of my priorities and should be a national priority. Section 8 vouchers are a great tool for getting families into decent homes. Studies have shown that Section 8 vouchers reduce homelessness, overcrowding, and frequent moves from apartment to apartment. Affordable housing is critical to strong families and communities, and vouchers have allowed families to move to lower-poverty neighborhoods with better schools and less exposure to crime.

H.R. 1851 will only increase the success of Section 8 vouchers, which currently provides housing assistance to more than 2 million families, by making the program more efficient and more effective. From 2004 to 2006, voucher funds were allocated using a series of

ineffectual formulas that gave some agencies less funding than they needed to cover the costs of their vouchers—forcing them to cut back for needy families—while other agencies were given more funds than they could use. This resulted in $1.4 billion of unused funds and, more importantly, 150,000 more low-income families without vouchers. SERVA would base funding on the actual cost of each agency's vouchers in the previous year. This will allow housing agencies, apartment owners, and families with vouchers to be confident that the program will be funded on a regular basis. Moreover, SERVA will establish incentives encouraging agencies to serve as many families as their funding permits, rather than accumulating large balances of unspent funds.

In addition to establishing such a stable, efficient and equitable voucher funding policy, SERVA will additionally remove barriers to voucher ''portability'', as well as streamline the rules for determining tenants' rent payment. It will authorize 100,000 new vouchers over five years' time, and include provisions to encourage economic self-sufficiency. It will also allow families to use housing vouchers as a down payment on a first-time home purchase, gives a limited number of Public Housing Agencies some flexibility to experiment with development and rent policies, and makes it easier for housing agencies to attach vouchers to housing units. These reforms will provide vital rental assistance for seniors and the disabled as well as low-income families, as well as provide a welcome opportunity for low-income families to achieve the American Dream of home ownership.

By reforming an already highly successful program, we can improve the quality of life for many American families, elderly, and disabled citizen all over the country by offering them more and better choices of communities to live in.

Mr. HINOJOSA. Madam Chairman, I rise in strong support of H.R. 1851, the Section 8 Voucher Reform Act of 2007.

I want to take this opportunity to commend my good friend Congresswoman MAXINE WATERS, chairwoman of the Housing Subcommittee, for introducing this bill, navigating it through the House Committee on Financial Services and bringing this important and necessary piece of legislation to the floor today for consideration by the full House of Representatives.

I have the utmost respect for Chairwoman WATERS—for all that she has done and is doing to improve the housing conditions for Americans, especially the moderate- to low-income, minorities, the disabled and the elderly. She has helped me considerably in my efforts to improve housing conditions in rural America.

Mr. Chairman, while some form of Section 8 rental assistance has been in place since the mid-1970s, the modern program was shaped largely by the 1998 public housing reform act. Nearly 10 years later, the Section 8 Housing Choice Voucher program came under new scrutiny, with Public Housing Authority industry leaders, low-income housing advocates, and some Members of Congress calling for reforms.

Chairwoman WATERS heeded that call and has brought to the floor today a bill that will help not only the poorest of the poor with housing vouchers but also provide the public housing authorities in my district and across the nation with the tools they need to better serve our constituents. The bill includes significant improvements to the voucher program, which provides rental assistance to about 1.8 million families, the majority of whom are extremely poor.

Applaud the provision in the bill that permits public housing authorities to let families use housing vouchers as a down payment on a first-time home purchase, and the section authorizing 20,000 sorely needed incremental vouchers in each of the next 5 years, for a total of 100,000 new vouchers.

For these reasons and more, I encourage my colleagues to vote in favor of H.R. 1851, the ''Section 8 Voucher Reform Act of 2007.''

Mr. CONYERS. Madam Chairman, I regret that I will be unable to vote ''yes'' tonight for passage of H.R. 1851. I was scheduled to be in Detroit in order to receive the NAACP's most prestigious award, the ''Spingarn award.'' I applaud the vision, courage and compassion of Representative MAXINE WATERS for introducing the ''Section 8 Voucher Reform Act of 2007, H.R. 1851.'' I strongly support the legislation, because it expands Section 8 vouchers for working families in America who are in desperate need of affordable housing by creating 20,000 incremental Section 8 vouchers in each of the next 5 years for a total of 100,000 new vouchers.

In a nation where affordable housing is scarce, and family homeless shelters continue to be built across the nation, passage of H.R. 1851 is a vitally important step in having the Federal Government take the lead in expanding affordable housing for deserving families and children in America. There are approximately 16,000 individuals and families who are currently on the Detroit Public Housing Waiting List. H.R. 1851 will help reduce the affordable housing crisis in Detroit, by increasing the availability of housing units through the expansion of Section 8 housing. It clearly does not make sense, nor is it fair, to have apartments available for rent in Detroit, but not enough citizens to move into them, only because there have not been a sufficient supply of Section 8 vouchers in the past.

H.R. 1851 also changes rent calculation, recertification, and inspection rules for the voucher, public housing, and project based Section 8 programs, to reduce costs and compliance burdens for public housing agencies, landlords, and families. These changes are made while maintaining rules that target scarce resources to those families most in need and while maintaining rent calculation rules that ensure rents are affordable. This will mean that Section 8 apartments will now become more affordable due to changes in rent calculation formulas mandated in H.R. 1851.

H.R. 1851 also permits public housing agencies across this country to allow families in need of affordable housing to use a Section 8 housing voucher as a down payment on a first time home purchase. Passage of this legislation means scores of working families in Detroit, many who have saved and sacrificed the entire lives to buy a home, will be now able to do so.

The ''Section 8 Voucher Reform Act of 2007, H.R. 1851.'' Is a critically important piece of legislation because it reforms HUD Section 8 guidelines to ensure that the approximately $1.4 billion in unused Section 8 funds will now be spent. This legislation mandates reforms in the Section 8 program that will eliminate inefficiencies, streamline paper work, and provide more incentives for public housing agencies to assist more families who qualify for Section 8 housing.

Having an additional $1.4 billion dollars to be used for Section 8 housing vouchers means that there will be a substantial increase in families in Detroit who will live in safe and decent affordable housing. There are too many working families in Detroit, and across this nation, who are living in homeless shelters, expensive inner city hotels, and staying with friends and relatives until they can locate housing. This is a moral outrage. All Americans deserve safe, decent, and affordable permanent housing.

Under the leadership of Representative MAXINE WATERS, passage of H.R. 1851 shows how we as Democrats have always had a historical commitment to expanding affordable housing to working families, and will continue to do so.

If we are to be a truly compassionate and moral nation, all individuals and families, regardless of income, race, or employment status must have as a fundamental human and civil right safe, decent, and affordable housing. Passage of H.R. 1851 is a critically important piece of legislation that will move America closer to this goal. Now, 100,000 additional Americans will have the opportunity to either become home owners, or move into an apartment, something that we can all agree on should be one of the highest priorities of this Nation.

Ms. WATERS. Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Ms. BALDWIN). All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment is as follows:

H.R. 1851

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Section 8 Voucher Reform Act of 2007''.

SEC. 2. INSPECTION OF DWELLING UNITS.

(a) IN GENERAL.—Section 8(o)(8) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(8)) is amended—

(1) by striking subparagraph (A) and inserting the following new subparagraph:

''(A) INITIAL INSPECTION.—

''(i) IN GENERAL.—For each dwelling unit for which a housing assistance payment contract is established under this subsection, the public housing agency (or other entity pursuant to paragraph (11)) shall inspect the unit before any assistance payment is made to determine whether the dwelling unit meets the housing quality standards under subparagraph (B), except as provided in clause (ii) or (iii) of this subparagraph.

''(ii) CORRECTION OF NON-LIFE THREATENING CONDITIONS.—In the case of any dwelling unit that is determined, pursuant to an inspection under clause (i), not to meet the housing quality standards under subparagraph (B), assistance payments may be made for the unit notwithstanding subparagraph (C) if failure to meet such standards is a result only of non-life threatening conditions. A public housing agency

making assistance payments pursuant to this clause for a dwelling unit shall, 30 days after the beginning of the period for which such payments are made, suspend any assistance payments for the unit if any deficiency resulting in noncompliance with the housing quality standards has not been corrected by such time, and may not resume such payments until each such deficiency has been corrected.

''(iii) PROJECTS RECEIVING CERTAIN FEDERAL HOUSING SUBSIDIES.—In the case of any property that within the previous 12 months has been determined to meet housing quality and safety standards under any Federal housing program inspection standard, including the program under section 42 of the Internal Revenue Code of 1986 or under subtitle A of title II of the Cranston Gonzalez National Affordable Housing Act of 1990, a public housing agency may authorize occupancy before the inspection under clause (i) has been completed, and may make assistance payments retroactive to the beginning of the lease term after the unit has been determined pursuant to an inspection under clause (i) to meet the housing quality standards under subparagraph (B).'';

(2) by striking subparagraph (D) and inserting the following new subparagraph:

''(D) BIENNIAL INSPECTIONS.—

''(i) REQUIREMENT.—Each public housing agency providing assistance under this subsection (or other entity, as provided in paragraph (11)) shall, for each assisted dwelling unit, make biennial inspections during the term of the housing assistance payments contract for the unit to determine whether the unit is maintained in accordance with the requirements under subparagraph (A). The agency (or other entity) shall retain the records of the inspection for a reasonable time and shall make the records available upon request to the Secretary, the Inspector General for the Department of Housing and Urban Development, and any auditor conducting an audit under section 5(h).

''(ii) SUFFICIENT INSPECTION.—An inspection of a property shall be sufficient to comply with the inspection requirement under clause (i) if—

''(I) the inspection was conducted pursuant to requirements under a Federal, State, or local housing assistance program (including the HOME investment partnerships program under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12721 et seq.)); and

''(II) pursuant to such inspection, the property was determined to meet the standards or requirements regarding housing quality or safety applicable to units assisted under such program, and, if a non-Federal standard was used, the public housing agency has certified to the Secretary that such standards or requirements provide the same protection to occupants of dwelling units meeting such standards or requirements as, or greater protection than, the housing quality standards under subparagraph (B).''; and

(3) by adding at the end the following new subparagraph:

''(F) ENFORCEMENT OF HOUSING QUALITY STANDARDS.—

''(i) DETERMINATION OF NONCOMPLIANCE.—A dwelling unit that is covered by a housing assistance payments contract under this subsection shall be considered, for purposes of this subparagraph, to be in noncompliance with the housing quality standards under subparagraph (B) if—

''(I) the public housing agency or an inspector authorized by the State or unit of local government determines upon inspection of the unit that the unit fails to comply with such standards;

''(II) the agency or inspector notifies the owner of the unit in writing of such failure to comply; and

''(III) the failure to comply is not corrected within 90 days after receipt of such notice.

''(ii) WITHHOLDING AND RELEASE OF ASSISTANCE AMOUNTS.—The public housing agency shall withhold all of the assistance amounts under this subsection with respect to a dwelling unit that is in noncompliance with housing quality standards under subparagraph (B). Subject to clause (iii), the agency shall promptly release any withheld amounts to the owner of the dwelling unit upon completion of repairs that remedy such noncompliance.

''(iii) USE OF WITHHELD ASSISTANCE TO PAY FOR REPAIRS.—The public housing agency may use such amounts withheld to make repairs to the dwelling unit or to contract to have repairs made (or to contract with an inspector referred to in clause (i)(I) to make or contract for such repairs), and shall subtract the cost of such repairs from any amounts released to the owner of the unit upon remedying such noncompliance.

''(iv) PROTECTION OF TENANTS.—An owner of a dwelling unit may not terminate the tenancy of any tenant or refuse to renew a lease for such unit because of the withholding of assistance pursuant to this subparagraph.

''(v) TERMINATION OF LEASE OR ASSISTANCE PAYMENTS CONTRACT.—If assistance amounts under this section for a dwelling unit are withheld pursuant to clause (ii) and the owner does not correct the noncompliance before the expiration of the lease for the dwelling unit and such lease is not renewed, the Secretary shall recapture any such amounts from the public housing agency.

''(vi) APPLICABILITY.—This subparagraph shall apply to any dwelling unit for which a housing assistance payments contract is entered into or renewed after the date of the effectiveness of the regulations implementing this subparagraph.''.

(b) REGULATIONS.—The Secretary of Housing and Urban Development shall issue any regulations necessary to carry out the amendment made by subsection (a)(3) not later than the expiration of the 12-month period beginning upon the date of the enactment of this Act. Such regulations shall take effect not later than the expiration of the 90-day period beginning upon such issuance. This subsection shall take effect upon enactment of this Act.

SEC. 3. RENT REFORM AND INCOME REVIEWS.

(a) RENT FOR PUBLIC HOUSING AND SECTION 8 PROGRAMS.—Section 3 of the United States Housing Act of 1937 (42 U.S.C. 1437a(a)) is amended—

(1) in subsection (a)—

(A) in paragraph (1) by inserting ''LOW-INCOME OCCUPANCY REQUIREMENT AND RENTAL PAYMENTS.—'' after ''(1)''; and

(B) by adding at the end the following new paragraphs:

''(6) REVIEWS OF FAMILY INCOME.—

''(A) FREQUENCY.—Reviews of family income for purposes of this section shall be made—

''(i) in the case of all families, upon the initial provision of housing assistance for the family;

''(ii) annually thereafter, except as provided in subparagraph (B)(i);

''(iii) upon the request of the family, at any time the income or deductions (under subsection (b)(5)) of the family change by an amount that is estimated to result in a decrease of $1,500 (or such lower amount as the public housing agency may, at the option of the agency or owner, establish) or more in annual adjusted income; and

''(iv) at any time the income or deductions (under subsection (b)(5)) of the family change by an amount that is estimated to result in an increase of $1,500 or more in annual adjusted income, except that any increase in the earned income of a family shall not be considered for purposes of this clause (except that earned income may be considered if the increase corresponds to previous decreases under clause (iii)), except that a public housing agency or owner may elect not to conduct such review in the last three months of a certification period.

''(B) FIXED-INCOME FAMILIES.—

''(i) SELF CERTIFICATION AND 3-YEAR REVIEW.—In the case of any family described in clause (ii), after the initial review of the family's income pursuant to subparagraph (A)(i), the public housing agency or owner shall not be required to conduct a review of the family's income pursuant to subparagraph (A)(ii) for any year for which such family certifies, in accordance with such requirements as the Secretary shall establish, that the income of the family meets the requirements of clause (ii) of this subparagraph, except that the public housing agency or owner shall conduct a review of each such family's income not less than once every 3 years.

''(ii) ELIGIBLE FAMILIES.—A family described in this clause is a family who has an income, as of the most recent review pursuant to subparagraph (A) or clause (i) of this subparagraph, of which 90 percent or more consists of fixed income, as such term is defined in clause (iii).

''(iii) FIXED INCOME.—For purposes of this subparagraph, the term 'fixed income' includes income from—

''(I) the supplemental security income program under title XVI of the Social Security Act, including supplementary payments pursuant to an agreement for Federal administration under section 1616(a) of the Social Security Act and payments pursuant to an agreement entered into under section 212(b) of Public Law 93–66;

''(II) Social Security payments;

''(III) Federal, State, local and private pension plans; and

''(IV) other periodic payments received from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic receipts.

''(C) IN GENERAL.—Reviews of family income for purposes of this section shall be subject to the provisions of section 904 of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988.

''(7) CALCULATION OF INCOME.—

''(A) USE OF PRIOR YEAR'S INCOME.—Except as otherwise provided in this paragraph, in determining the income of a family for a year, a public housing agency or owner may use the income of the family as determined by the agency or owner for the preceding year, taking into consideration any redetermination of income during such prior year pursuant to clause (iii) or (iv) of paragraph (6)(A).

''(B) EARNED INCOME.—For purposes of this section, the earned income of a family for a year shall be the amount of earned income by the family in the prior year minus an amount equal to 10 percent of the lesser of such prior year's earned income or $10,000, except that the income of a family for purposes of section 16 (relating to eligibility for assisted housing and income mix) shall be determined without regard to any reduction under this subparagraph.

''(C) INFLATIONARY ADJUSTMENT FOR FIXED INCOME FAMILIES.—If, for any year, a public housing agency or owner determines the income for any family described in paragraph (6)(B)(ii), or the amount of fixed income of any other family, based on the prior year's income or fixed income, respectively, pursuant to subparagraph (A), such prior year's income or fixed income, respectively, shall be adjusted by applying an inflationary factor as the Secretary shall, by regulation, establish.

''(D) OTHER INCOME.—If, for any year, a public housing agency or owner determines the income for any family based on the prior year's income, with respect to prior year calculations of types of income not subject to subparagraph (B), a public housing agency or owner may make other adjustments as it considers appropriate to reflect current income.

''(E) SAFE HARBOR.—A public housing agency or owner may, to the extent such information is available to the public housing agency or owner, determine the family's income for purposes of this section based on timely income determinations made for purposes of other means-tested Federal public assistance programs (including the program for block grants to States for temporary assistance for needy families

under part A of title IV of the Social Security Act, a program for medicaid assistance under a State plan approved under title XIX of the Social Security Act, and the food stamp program as defined in section 3(h) of the Food Stamp Act of 1977. The Secretary shall, in consultation with other appropriate Federal agencies, develop procedures to enable public housing agencies and owners to have access to such income determinations made by other Federal programs.

''(F) PHA AND OWNER COMPLIANCE.—A public housing agency or owner may not be considered to fail to comply with this paragraph or paragraph (6) due solely to any de minimus errors made by the agency or owner in calculating family incomes.'';

(2) by striking subsections (d) and (e); and

(3) by redesignating subsection (f) as subsection (d).

(b) INCOME.—Section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)) is amended—

(1) by striking paragraph (4) and inserting the following new paragraph:

''(4) INCOME.—The term 'income' means, with respect to a family, income received from all sources by each member of the household who is 18 years of age or older or is the head of household or spouse of the head of the household, plus unearned income by or on behalf of each dependent who is less than 18 years of age, as determined in accordance with criteria prescribed by the Secretary, in consultation with the Secretary of Agriculture, subject to the following requirements:

''(A) INCLUDED AMOUNTS.—Such term includes recurring gifts and receipts, actual income from assets, and profit or loss from a business.

''(B) EXCLUDED AMOUNTS.—Such term does not include—

''(i) any imputed return on assets; and

''(ii) any amounts that would be eligible for exclusion under section 1613(a)(7) of the Social Security Act (42 U.S.C. 1382b(a)(7)).

''(C) EARNED INCOME OF STUDENTS.—Such term does not include earned income of any dependent earned during any period that such dependent is attending school on a full-time basis or any grant-in-aid or scholarship amounts related to such attendance used for the cost of tuition or books.

''(D) EDUCATIONAL SAVINGS ACCOUNTS.—Income shall be determined without regard to any amounts in or from, or any benefits from, any Coverdell education savings account under section 530 of the Internal Revenue Code of 1986 or any qualified tuition program under section 529 of such Code.

''(E) OTHER EXCLUSIONS.—Such term shall not include other exclusions from income as are established by the Secretary or any amount required by Federal law to be excluded from consideration as income. The Secretary may not require a public housing agency or owner to maintain records of any amounts excluded from income pursuant to this subparagraph.''; and

(2) by striking paragraph (5) and inserting the following new paragraph:

''(5) ADJUSTED INCOME.—The term 'adjusted income' means, with respect to a family, the amount (as determined by the public housing agency or owner) of the income of the members of the family residing in a dwelling unit or the persons on a lease, after any deductions from income as follows:

''(A) ELDERLY AND DISABLED FAMILIES.—$725 in the case of any family that is an elderly family or a disabled family.

''(B) DEPENDENTS.—In the case of any family that includes a member or members who—

''(i) are less than 18 years of age or attending school or vocational training on a full-time basis; or

''(ii) is a person with disabilities who is 18 years of age or older and resides in the household,

$500 for each such member.

''(C) HEALTH AND MEDICAL EXPENSES.—The amount, if any, by which 10 percent of annual family income is exceeded by the sum of—

''(i) in the case of any elderly or disabled family, any unreimbursed health and medical care expenses; and

''(ii) any unreimbursed reasonable attendant care and auxiliary apparatus expenses for each handicapped member of the family, to the extent necessary to enable any member of such family to be employed.

''(D) PERMISSIVE DEDUCTIONS.—Such additional deductions as a public housing agency may, at its discretion, establish, except that the Secretary shall establish procedures to ensure that such deductions do not increase Federal expenditures.

The Secretary shall annually adjust the amounts of the exclusions under subparagraphs (A) and (B), as such amounts may have been previously adjusted, by applying an inflationary factor as the Secretary shall, by regulation, establish. If the dollar amount of any such exclusion determined for any year by applying such inflationary factor is not a multiple of $25, the Secretary shall round such amount to the next lowest multiple of $25.''.

(c) HOUSING CHOICE VOUCHER PROGRAM.—Paragraph (5) of section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(5)) is amended—

(1) in the paragraph heading, by striking ''ANNUAL REVIEW'' and inserting ''REVIEWS'';

(2) in subparagraph (A)—

(A) by striking ''the provisions of'' and inserting ''paragraphs (6) and (7) of section 3(a) and to''; and

(B) by striking ''and shall be conducted upon the initial provision of housing assistance for the family and thereafter not less than annually''; and

(3) in subparagraph (B), by striking the second sentence.

(d) ENHANCED VOUCHER PROGRAM.—Section 8(t)(1)(D) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)(1)(D)) is amended by striking ''income'' each place such term appears and inserting ''annual adjusted income''.

(e) PROJECT-BASED HOUSING.—Paragraph (3) of section 8(c) of the United States Housing Act of 1937 (42 U.S.C. 1437f(c)(3)) is amended by striking the last sentence.

(f) IMPACT ON PUBLIC HOUSING REVENUES.—

(1) INTERACTION WITH ASSET MANAGEMENT RULE.—If the Secretary of Housing and Urban Development determines that the application of the amendments made by this section results in a reduction in the rental income of a public housing agency that is not de minimus during the period that the operating formula income is frozen at a level that does not fully reflect the changes made by such amendments, the Secretary shall make appropriate adjustments in the formula income of the agency.

(2) HUD REPORTS ON PUBLIC HOUSING REVENUE IMPACT.—For each of fiscal years 2008 and 2009, the Secretary of Housing and Urban Development shall submit a report to Congress identifying and calculating the impact of changes made by the amendments made by this section on the revenues and costs of operating public housing units.

(g) EFFECTIVE DATE AND TRANSITION.—The amendments made by this section shall apply with respect to fiscal year 2008 and fiscal years thereafter.

SEC. 4. ELIGIBILITY FOR ASSISTANCE BASED ON ASSETS AND INCOME.

(a) ASSETS.—Section 16 of the United States Housing Act of 1937 (42 U.S.C. 1437n) is amended by inserting after subsection (d) the following new subsection:

''(e) ELIGIBILITY FOR ASSISTANCE BASED ON ASSETS.—

''(1) LIMITATION ON ASSETS.—Subject to paragraph (3) and notwithstanding any other provision of this Act, a dwelling unit assisted under this Act may not be rented and assistance under this Act may not be provided, either initially or at each recertification of family income, to any family—

''(A) whose net family assets exceed $100,000, as such amount is adjusted annually by applying an inflationary factor as the Secretary considers appropriate; or

''(B) who has a present ownership interest in, and a legal right to reside in, real property that is suitable for occupancy as a residence, except that the prohibition under this subparagraph shall not apply to—

''(i) any property for which the family is receiving assistance under this Act;

''(ii) any person that is a victim of domestic violence; or

''(iii) any family that is making a good faith effort to sell such property.

''(2) NET FAMILY ASSETS.—

''(A) IN GENERAL.—For purposes of this subsection, the term 'net family assets' means, for all members of the household, the net cash value of all assets after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment. Such term does not include interests in Indian trust land, equity accounts in homeownership programs of the Department of Housing and Urban Development, or Family Self Sufficiency accounts.

''(B) EXCLUSIONS.—Such term does not include—

''(i) the value of personal property, except for items of personal property of significant value, as the public housing agency may determine;

''(ii) the value of any retirement account;

''(iii) any amounts recovered in any civil action or settlement based on a claim of malpractice, negligence, or other breach of duty owed to a member of the family and arising out of law, that resulted in a member of the family being disabled (under the meaning given such term in section 1614 of the Social Security Act (42 U.S.C. 1382c)); and

''(iv) the value of any Coverdell education savings account under section 530 of the Internal Revenue Code of 1986 or any qualified tuition program under section 529 of such Code.

''(C) TRUST FUNDS.—In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund shall not be considered an asset of a family if the fund continues to be held in trust. Any income distributed from the trust fund shall be considered income for purposes of section 3(b) and any calculations of annual family income, except in the case of medical expenses for a minor.

''(D) SELF-CERTIFICATION.—A public housing agency or owner may determine the net assets of a family, for purposes of this section, based on the amounts reported by the family at the time the agency or owner reviews the family's income.

''(3) COMPLIANCE FOR PUBLIC HOUSING DWELLING UNITS.—When recertifying family income with respect to families residing in public housing dwelling units, a public housing agency may, in the discretion of the agency and only pursuant to a policy that is set forth in the public housing agency plan under section 5A for the agency, choose not to enforce the limitation under paragraph (1).

''(4) AUTHORITY TO DELAY EVICTIONS.—In the case of a family residing in a dwelling unit assisted under this Act who does not comply with the limitation under paragraph (1), the public housing agency or project owner may delay eviction or termination of the family based on such noncompliance for a period of not more than 6 months.''.

(b) INCOME.—The United States Housing Act of 1937 is amended—

(1) in section 3(a)(1) (42 U.S.C. 1437a(a)(1)), by striking the first sentence and inserting the following: ''Dwelling units assisted under this Act

may be rented, and assistance under this Act may be provided, whether initially or at time of recertification, only to families who are low-income families at the time such initial or continued assistance, respectively, is provided, except that families residing in dwelling units as of the date of the enactment of the Section 8 Voucher Reform Act of 2007 that, under agreements in effect on such date of enactment, may have incomes up to 95 percent of local area median income shall continue to be eligible for assistance at recertification as long as they continue to comply with such income restrictions. When recertifying family income with respect to families residing in public housing dwelling units, a public housing agency may, in the discretion of the agency and only pursuant to a policy that is set forth in the public housing agency plan under section 5A for the agency, choose not to enforce the prohibition under the preceding sentence. When recertifying family income with respect to families residing in dwelling units for which project-based assistance is provided, a project owner may, in the owner's discretion and only pursuant to a policy adopted by such owner, choose not to enforce such prohibition. In the case of a family residing in a dwelling unit assisted under this Act who does not comply with the prohibition under the first sentence of this paragraph, the public housing agency or project owner may delay eviction or termination of the family based on such noncompliance for a period of not more than 6 months.'';

(2) in section 8(o)(4) (42 U.S.C. 1437f(o)(4)), by striking the matter preceding subparagraph (A) and inserting the following:

''(4) ELIGIBLE FAMILIES.—Assistance under this subsection may be provided, whether initially or at each recertification, only pursuant to subsection (t) to a family eligible for assistance under such subsection or to a family who at the time of such initial or continued assistance, respectively, is a low-income family that is—''; and

(3) in section 8(c)(4) (42 U.S.C. 1437f(c)(4)), by striking ''at the time it initially occupied such dwelling unit'' and inserting ''according to the restrictions under section 3(a)(1)''.

SEC. 5. TARGETING ASSISTANCE TO LOW-INCOME WORKING FAMILIES.

(a) VOUCHERS.—Section 16(b)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437n(b)(1)) is amended—

(1) by inserting after ''do not exceed'' the following: ''the higher of (A) the poverty line (as such term is defined in section 673 of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9902), including any revision required by such section) applicable to a family of the size involved, or (B)''; and

(2) by inserting before the period at the end the following: ''; and except that clause (A) of this sentence shall not apply in the case of families residing in Puerto Rico or any other territory or possession of the United States''.

(b) PUBLIC HOUSING.—Section 16(a)(2)(A) of the United States Housing Act of 1937 (42 U.S.C. 1437n(a)(2)(A)) is amended—

(1) by inserting after ''do not exceed'' the following: ''the higher of (i) the poverty line (as such term is defined in section 673 of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9902), including any revision required by such section) applicable to a family of the size involved, or (ii)''; and

(2) by inserting before the period at the end the following: ''; and except that clause (i) of this sentence shall not apply in the case of families residing in Puerto Rico or any other territory or possession of the United States''.

(c) PROJECT-BASED SECTION 8 ASSISTANCE.—Section 16(c)(3) of the United States Housing Act of 1937 (42 U.S.C. 1437n(c)(3)) is amended—

(1) by inserting after ''do not exceed'' the following: ''the higher of (A) the poverty line (as such term is defined in section 673 of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9902), including any revision required by such section) applicable to a family of the size involved, or (B)''; and

(2) by inserting before the period at the end the following: ''; and except that clause (A) of this sentence shall not apply in the case of families residing in Puerto Rico or any other territory or possession of the United States''.

SEC. 6. VOUCHER RENEWAL FUNDING.

(a) IN GENERAL.—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended by striking subsection (dd) and inserting the following new subsection:

''(dd) TENANT-BASED VOUCHERS.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated, for each of fiscal years 2008 through 2012, such sums as may be necessary for tenant-based assistance under subsection (o) for the following purposes:

''(A) To renew all expiring annual contributions contracts for tenant-based rental assistance.

''(B) To provide tenant-based rental assistance for—

''(i) relocation and replacement of housing units that are demolished or disposed of pursuant to the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104–134);

''(ii) conversion of section 23 projects to assistance under this section;

''(iii) the family unification program under subsection (x) of this section;

''(iv) relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency;

''(v) enhanced vouchers authorized under subsection (t) of this section;

''(vi) vouchers in connection with the HOPE VI program under section 24;

''(vii) demolition or disposition of public housing units pursuant to section 18 of the United States Housing Act of 1937 (42 U.S.C. 1437p);

''(viii) mandatory and voluntary conversions of public housing to vouchers, pursuant to sections 33 and 22 of the United States Housing Act of 1937, respectively (42 U.S.C. 1437z–5, 1437t);

''(ix) vouchers necessary to comply with a consent decree or court order;

''(x) vouchers to replace dwelling units that cease to receive project-based assistance under subsection (b), (c), (d), (e), or (v) of this section;

''(xi) tenant protection assistance, including replacement and relocation assistance; and

''(xii) emergency voucher assistance for the protection of victims of domestic violence, dating violence, sexual assault, or stalking.

Subject only to the availability of sufficient amounts provided in appropriation Acts, the Secretary shall provide tenant-based rental assistance to replace all dwelling units that cease to be available as assisted housing as a result of clause (i), (ii), (v), (vi), (vii), (viii), or (x).

''(2) ALLOCATION OF RENEWAL FUNDING AMONG PUBLIC HOUSING AGENCIES.—

''(A) From amounts appropriated for each year pursuant to paragraph (1)(A), the Secretary shall provide renewal funding for each public housing agency—

''(i) based on leasing and cost data from the preceding calendar year, as adjusted by an annual adjustment factor to be established by the Secretary, which shall be established using the smallest geographical areas for which data on changes in rental costs are annually available;

''(ii) by making any adjustments necessary to provide for the first-time renewal of vouchers funded under paragraph (1)(B);

''(iii) by making any adjustments necessary for full year funding of vouchers ported in the prior calendar year under subsection (r)(2); and

''(iv) by making such other adjustments as the Secretary considers appropriate, including adjustments necessary to address changes in voucher utilization rates and voucher costs related to natural and other major disasters.

''(B) LEASING AND COST DATA.—For purposes of subparagraph (A)(i), leasing and cost data shall be calculated annually by using the average for the preceding calendar year. Such leasing and cost data shall be adjusted to include vouchers that were set aside under a commitment to provide project-based assistance under subsection (o)(13) and to exclude amounts funded through advances under paragraph (3). Such leasing and cost data shall not include funds not appropriated for tenant-based assistance under section 8(o), unless the agency's funding was prorated in the prior year and the agency used other funds to maintain vouchers in use.

''(C) OVERLEASING.—For the purpose of determining allocations under subsection (A)(i), the leasing rate calculated for the prior calendar year may exceed an agency's authorized voucher level, except that such calculation in 2009 shall not include amounts resulting from a leasing rate in excess of 103 percent of an agency's authorized vouchers in 2008 which results from the use of accumulated amounts, as referred to in paragraph (4)(A).

''(D) MOVING TO WORK; HOUSING INNOVATION PROGRAM.—Notwithstanding subparagraphs (A) and (B), each public housing agency participating at any time in the moving to work demonstration under section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (42 U.S.C. 1437f note) or in the housing innovation program under section 36 of this Act shall be funded pursuant to its agreement under such program and shall be subject to any pro rata adjustment made under subparagraph (E)(i).

''(E) PRO RATA ALLOCATION.—

''(i) INSUFFICIENT FUNDS.—To the extent that amounts made available for a fiscal year are not sufficient to provide each public housing agency with the full allocation for the agency determined pursuant to subparagraphs (A) and (D), the Secretary shall reduce such allocation for each agency on a pro rata basis, except that renewal funding of enhanced vouchers under section 8(t) shall not be subject to such proration.

''(ii) EXCESS FUNDS.—To the extent that amounts made available for a fiscal year exceed the amount necessary to provide each housing agency with the full allocation for the agency determined pursuant to subparagraphs (A) and (D), such excess amounts shall be used for the purposes specified in subparagraphs (B) and (C) of paragraph (4).

''(F) PROMPT FUNDING ALLOCATION.—The Secretary shall allocate all funds under this subsection for each year before the latter of (i) February 15, or (ii) the expiration of the 45-day period beginning upon the enactment of the appropriations Act funding such renewals.

''(3) ADVANCES.—

''(A) AUTHORITY.—During the last 3 months of each calendar year, the Secretary shall provide amounts to any public housing agency, at the request of the agency, in an amount up to two percent of the allocation for the agency for such calendar year, subject to subparagraph (C).

''(B) USE.—Amounts advanced under subparagraph (A) may be used to pay for additional voucher costs, including costs related to temporary overleasing.

''(C) USE OF PRIOR YEAR AMOUNTS.—During the last 3 months of a calendar year, if amounts previously provided to a public housing agency for tenant-based assistance for such year or for previous years remain unobligated and available to the agency—

''(i) the agency shall exhaust such amounts to cover any additional voucher costs under subparagraph (B) before amounts advanced under subparagraph (A) may be so used; and

''(ii) the amount that may be advanced under subparagraph (A) to the agency shall be reduced by an amount equal to the total of such previously provided and unobligated amounts.

''(D) REPAYMENT.—Amounts advanced under subparagraph (A) in a calendar year shall be repaid to the Secretary in the subsequent calendar

year by reducing the amounts made available for such agency for such subsequent calendar year pursuant to allocation under paragraph (2) by an amount equal to the amount so advanced to the agency.

''(4) RECAPTURE.—

''(A) IN GENERAL.—The Secretary shall recapture, from amounts provided under the annual contributions contract for a public housing agency for a calendar year, all accumulated amounts allocated under paragraph (2) and from previous years that are unused by the agency at the end of each calendar year except—

''(i) with respect to the recapture under this subparagraph at the end of 2007, an amount equal to one twelfth the amount allocated to the public housing agency for such year pursuant to paragraph (2)(A); and

''(ii) with respect to the recapture under this subparagraph at the end of each of 2008, 2009, 2010, and 2011, an amount equal to 5 percent of such amount allocated to the agency for such year. Notwithstanding any other provision of law, each public housing agency may retain all amounts not authorized to be recaptured under this subparagraph, and may use such amounts for all authorized purposes.

''(B) REALLOCATION.—Not later than May 1 of each calendar year, the Secretary shall—

''(i) calculate the aggregate unused amounts for the preceding year recaptured pursuant to subparagraph (A);

''(ii) set aside and make available such amounts as the Secretary considers appropriate to reimburse public housing agencies for increased costs related to portability and family self-sufficiency activities during such year; and

''(iii) reallocate all remaining amounts among public housing agencies, with priority given based on the extent to which an agency has utilized the amount allocated under paragraph (2) for the agency to serve eligible families.

''(C) USE.—Amounts reallocated to a public housing agency pursuant to subparagraph (B)(iii) may be used only to increase voucher leasing rates as provided under paragraph (2)(C).''.

(b) ABSORPTION OF VOUCHERS FROM OTHER AGENCIES.—Section 8(r)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437f(r)(2)) is amended by adding after the period at the end the following: ''The agency shall absorb the family into its program for voucher assistance under this section and shall have priority to receive additional funding from the Secretary for the housing assistance provided for such family from amounts made available pursuant to subsection (dd)(4)(B).''

(c) VOUCHERS FOR PERSONS WITH DISABILITIES.—The Secretary of Housing and Urban Development shall develop and issue, to public housing agencies that received voucher assistance under section 8(o) for non-elderly disabled families pursuant to appropriations Acts for fiscal years 1997 through 2002, guidance to ensure that, to the maximum extent practicable, such vouchers continue to be provided upon turnover to qualified non-elderly disabled families.

SEC. 7. ADMINISTRATIVE FEES.

(a) IN GENERAL.—Section 8(q) of the United States Housing Act of 1937 (42 U.S.C. 1437f(q)) is amended—

(1) in paragraph (1), by striking subparagraphs (B) and (C) and inserting the following new subparagraphs:

''(B) CALCULATION.—The fee under this subsection shall—

''(i) be payable to each public housing agency for each month for which a dwelling unit is covered by an assistance contract;

''(ii) until superseded through subsequent rulemaking, be based on the per-unit fee payable to the agency in fiscal year 2003, updated for each subsequent year as specified in subsection (iv);

''(iii) include an amount for the cost of issuing voucher to new participants;

''(iv) be updated each year using an index of changes in wage data or other objectively measurable data that reflect the costs of administering the program for such assistance, as determined by the Secretary; and

''(v) include an amount for the cost of family self-sufficiency coordinators, as provided in section 23(h)(1).

''(C) PUBLICATION.—The Secretary shall cause to be published in the Federal Register the fee rate for each geographic area.''; and

(2) in paragraph (4), by striking ''1999'' and inserting ''2007''.

(b) ADMINISTRATIVE FEES FOR FAMILY SELF-SUFFICIENCY PROGRAM COSTS.—Subsection (h) of section 23 of the United States Housing Act of 1937 (42 U.S.C. 1437u(h)) is amended by striking paragraph (1) and inserting the following new paragraph:

''(1) SECTION 8 FEES.—

''(A) IN GENERAL.—The Secretary shall establish a fee under section 8(q) for the costs incurred in administering the self-sufficiency program under this section to assist families receiving voucher assistance through section 8(o).

''(B) ELIGIBILITY FOR FEE.—The fee shall provide funding for family self-sufficiency coordinators as follows:

''(i) BASE FEE.—A public housing agency serving 25 or more participants in the family self-sufficiency program under this section shall receive a fee equal to the costs of employing one full-time family self-sufficiency coordinator. An agency serving fewer than 25 such participants shall receive a prorated fee.

''(ii) ADDITIONAL FEE.—An agency that meets minimum performance standards shall receive an additional fee sufficient to cover the costs of employing a second family self-sufficiency coordinator if the agency has 75 or more participating families, and a third such coordinator if it has 125 or more participating families.

''(iii) PREVIOUSLY FUNDED AGENCIES.—An agency that received funding from the Department of Housing and Urban Development for more than three such coordinators in any of fiscal years 1998 through 2007 shall receive funding for the highest number of coordinators funded in a single fiscal year during that period, provided they meet applicable size and performance standards.

''(iv) INITIAL YEAR.—For the first year in which a public housing agency exercises its right to develop an family self-sufficiency program for its residents, it shall be entitled to funding to cover the costs of up to one family self-sufficiency coordinator, based on the size specified in its action plan for such program.

''(v) STATE AND REGIONAL AGENCIES.—For purposes of calculating the family self-sufficiency portion of the administrative fee under this subparagraph, each administratively distinct part of a State or regional public housing agency shall be treated as a separate agency.

''(vi) DETERMINATION OF NUMBER OF COORDINATORS.—In determining whether a public housing agency meets a specific threshold for funding pursuant to this paragraph, the number of participants being served by the agency in its family self-sufficiency program shall be considered to be the average number of families enrolled in such agency's program during the course of the most recent fiscal year for which the Department of Housing and Urban Development has data.

''(C) PRORATION.—If insufficient funds are available in any fiscal year to fund all of the coordinators authorized under this section, the first priority shall be given to funding one coordinator at each agency with an existing family self-sufficiency program. The remaining funds shall be prorated based on the number of remaining coordinators to which each agency is entitled under this subparagraph.

''(D) RECAPTURE.—Any fees allocated under this subparagraph by the Secretary in a fiscal year that have not been spent by the end of the subsequent fiscal year shall be recaptured by the Secretary and shall be available for providing additional fees pursuant to subparagraph (B)(ii).

''(E) PERFORMANCE STANDARDS.—Within six months after the date of the enactment of this paragraph, the Secretary shall publish a proposed rule specifying the performance standards applicable to funding under clauses (ii) and (iii) of subparagraph (B). Such standards shall include requirements applicable to the leveraging of in-kind services and other resources to support the goals of the family self-sufficiency program.

''(F) DATA COLLECTION.—Public housing agencies receiving funding under this paragraph shall collect and report to the Secretary, in such manner as the Secretary shall require, information on the performance of their family self-sufficiency programs.

''(G) EVALUATION.—The Secretary shall conduct a formal and scientific evaluation of the effectiveness of well-run family self-sufficiency programs, using random assignment of participants to the extent practicable. Not later than the expiration of the 4-year period beginning upon the enactment of this paragraph, the Secretary shall submit an interim evaluation report to the Congress. Not later than the expiration of the 8-year period beginning upon such enactment, the Secretary shall submit a final evaluation report to the Congress. There is authorized to be appropriated $10,000,000 to carry out the evaluation under this subparagraph.

''(H) INCENTIVES FOR INNOVATION AND HIGH PERFORMANCE.—The Secretary may reserve up to 10 percent of the amounts made available for administrative fees under this paragraph to provide support to or reward family self-sufficiency programs that are particularly innovative or highly successful in achieving the goals of the program.''.

(c) REPEAL.—Section 202 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997 (42 U.S.C. 1437f note; Public Law 104–204; 110 Stat. 2893) is hereby repealed.

SEC. 8. HOMEOWNERSHIP.

(a) SECTION 8 HOMEOWNERSHIP DOWNPAYMENT PROGRAM.—Section 8(y)(7) of the United States Housing Act of 1937 (42 U.S.C. 1437f(y)(7)) is amended by striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

''(A) IN GENERAL.—Subject to the provisions of this paragraph, in the case of a family on whose behalf rental assistance under section 8(o) has been provided for a period of not less than 12 months prior to the date of receipt of downpayment assistance under this paragraph, a public housing agency may, in lieu of providing monthly assistance payments under this subsection on behalf of a family eligible for such assistance and at the discretion of the agency, provide a downpayment assistance grant in accordance with subparagraph (B).

''(B) GRANT REQUIREMENTS.—A downpayment assistance grant under this paragraph—

''(i) shall be used by the family only as a contribution toward the downpayment and reasonable and customary closing costs required in connection with the purchase of a home;

''(ii) shall be in the form of a single one-time grant; and

''(iii) may not exceed $10,000.

''(C) NO EFFECT ON OBTAINING OUTSIDE SOURCES FOR DOWNPAYMENT ASSISTANCE.—This Act may not be construed to prohibit a public housing agency from providing downpayment assistance to families from sources other than a grant provided under this Act, or as determined by the public housing agency.''.

(b) USE OF VOUCHERS FOR MANUFACTURED HOUSING.—Section 8(o)(12) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(12) is amended—

(1) in subparagraph (A), by striking the period at the end of the first sentence and all that follows through ''of'' in the second sentence and inserting ''and rents''; and

(2) in subparagraph (B)—

(A) in clause (i), by striking ''the rent'' and all that follows and inserting the following: ''rent shall mean the sum of the monthly payments made by a family assisted under this paragraph to amortize the cost of purchasing the manufactured home, including any required insurance and property taxes, the monthly amount allowed for tenant-paid utilities, and the monthly rent charged for the real property on which the manufactured home is located, including monthly management and maintenance charges.'';

(B) by striking clause (ii); and

(C) in clause (iii)—

(i) by inserting after the period at the end the following: ''If the amount of the monthly assistance payment for a family exceeds the monthly rent charged for the real property on which the manufactured home is located, including monthly management and maintenance charges, a public housing agency may pay the remainder to the family, lender or utility company, or may choose to make a single payment to the family for the entire monthly assistance amount.''; and

(ii) by redesignating such clause as clause (ii).

SEC. 9. PHA REPORTING OF RENT PAYMENTS TO CREDIT REPORTING AGENCIES.

(a) IN GENERAL.—Section 3 of the United States Housing Act of 1937 (42 U.S.C. 1437a), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

''(e) PHA REPORTING OF RENT PAYMENTS TO CREDIT REPORTING AGENCIES.—

''(1) AUTHORITY.—To the extent that a family receiving tenant-based housing choice vouchers under section 8 by a public housing agency agrees in writing to reporting under this subsection, the public housing agency may submit to consumer reporting agencies described in section 603(p) of the Fair Credit Reporting Act (15 U.S.C. 1681a) information regarding the past rent payment history of the family with respect to the dwelling unit for which such assistance is provided.

''(2) FORMAT.—The Secretary, after consultation with consumer reporting agencies referred in paragraph (1), shall establish a system and format to be used by public housing agencies for reporting of information under such paragraph that provides such information in a format and manner that is similar to other credit information submitted to such consumer reporting agencies and is usable by such agencies.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 10. PERFORMANCE ASSESSMENTS.

Section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) is amended by adding at the end the following new paragraph:

''(21) PERFORMANCE ASSESSMENTS.—

''(A) ESTABLISHMENT.—The Secretary shall, by regulation, establish standards and procedures for assessing the performance of public housing agencies in carrying out the programs for tenant-based rental assistance under this subsection and for homeownership assistance under subsection (y).

''(B) CONTENTS.—The standards and procedures under this paragraph shall provide for assessment of the performance of public housing agencies in the following areas:

''(i) Quality of dwelling units obtained using such assistance.

''(ii) Extent of utilization of assistance amounts provided to the agency and of authorized vouchers.

''(iii) Timeliness and accuracy of reporting by the agency to the Secretary.

''(iv) Effectiveness in carrying out policies to achieve deconcentration of poverty.

''(v) Reasonableness of rent burdens, consistent with public housing agency responsibilities under section 8(o)(1)(E)(iii).

''(vi) Accurate rent calculations and subsidy payments.

''(vii) Effectiveness in carrying out family self-sufficiency activities.

''(viii) Timeliness of actions related to landlord participation.

''(ix) Such other areas as the Secretary considers appropriate.

''(C) PERIODIC ASSESSMENT.—Using the standards and procedures established under this paragraph, the Secretary shall conduct an assessment of the performance of each public housing agency carrying out a program referred to in subparagraph (A) and shall submit a report to the Congress regarding the results of each such assessment.''.

SEC. 11. PHA PROJECT-BASED ASSISTANCE.

Section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(13)) is amended—

(1) by striking subparagraph (B) and inserting the following new subparagraph:

''(B) PERCENTAGE LIMITATION.—

''(i) IN GENERAL.—Subject to clause (ii), not more than 25 percent of the funding available for tenant-based assistance under this section that is administered by the agency may be attached to structures pursuant to this paragraph.

''(ii) EXCEPTION.—An agency may attach up to an additional 5 percent of the funding available for tenant-based assistance under this section to structures pursuant to this paragraph for dwelling units that house individuals and families that meet the definition of homeless under section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302).'';

(2) by striking subparagraph (D) and inserting the following new subparagraph:

''(D) INCOME MIXING REQUIREMENT.—

''(i) IN GENERAL.—Except as provided in clause (ii), not more than the greater of 25 dwelling units or 25 percent of the dwelling units in any project may be assisted under a housing assistance payment contract for project-based assistance pursuant to this paragraph. For purposes of this subparagraph, the term 'project' means a single building, multiple contiguous buildings, or multiple buildings on contiguous parcels of land.

''(ii) EXCEPTIONS.—

''(I) CERTAIN HOUSING.—The limitation under clause (i) shall not apply in the case of assistance under a contract for housing consisting of single family properties, or for dwelling units that are specifically made available for households comprised of elderly families, disabled families, and families receiving supportive services. For purposes of the preceding sentence, the term 'single family properties' means buildings with no more than four dwelling units.

''(II) CERTAIN AREAS.—With respect to areas in which fewer than 75 percent of families issued vouchers become participants in the program, the public housing agency has established the payment standard at 110 percent of the fair market rent for all census tracts in the area for the previous six months, and the public housing agency grants an automatic extension of 90 days (or longer) to families with vouchers who are attempting to find housing, clause (i) shall be applied by substituting '50 percent' for '25 percent'.'';

(3) in the first sentence of subparagraph (F), by striking ''10 years'' and inserting ''15 years'';

(4) in subparagraph (G)—

(A) by inserting after the period at the end of the first sentence the following: ''Such contract may, at the election of the public housing agency and the owner of the structure, specify that such contract shall be extended for renewal terms of up to 15 years each, if the agency makes the determination required by this subparagraph and the owner is in compliance with the terms of the contract.''; and

(B) by adding at the end the following: ''A public housing agency may agree to enter into such a contract at the time it enters into the initial agreement for a housing assistance payment contract or at any time thereafter that is before the expiration of the housing assistance payment contract.'';

(5) in subparagraph (H), by inserting before the period at the end of the first sentence the following: '', except that in the case of a contract unit that has been allocated low-income housing tax credits and for which the rent limitation pursuant to such section 42 is less than the amount that would otherwise be permitted under this subparagraph, the rent for such unit may, in the sole discretion of a public housing agency, be established at the higher section 8 rent, subject only to paragraph (10)(A)'';

(6) in subparagraph (I)(i), by inserting before the semicolon the following: '', except that the contract may provide that the maximum rent permitted for a dwelling unit shall not be less than the initial rent for the dwelling unit under the initial housing assistance payments contract covering the unit'';

(7) in subparagraph (J)—

(A) by striking the fifth and sixth sentences and inserting the following: ''A public housing agency may establish and utilize procedures for maintaining site-based waiting lists under which applicants may apply directly at, or otherwise designate to the public housing agency, the project or projects in which they seek to reside, except that all applicants on the waiting list of an agency for assistance under this subsection shall be permitted to place their names on such separate list. All such procedures shall comply with title VI of the Civil Rights Act of 1964, the Fair Housing Act, and other applicable civil rights laws. The owner or manager of a structure assisted under this paragraph shall not admit any family to a dwelling unit assisted under a contract pursuant to this paragraph other than a family referred by the public housing agency from its waiting list, or a family on a site-based waiting list that complies with the requirements of this subparagraph. A public housing agency shall fully disclose to each applicant each option in the selection of a project in which to reside that is available to the applicant.''; and

(B) by inserting after the third sentence the following new sentence: ''Any family who resides in a dwelling unit proposed to be assisted under this paragraph, or in a unit to be replaced by a proposed unit to be assisted under this paragraph shall be given an absolute preference for selection for placement in the proposed unit, if the family is otherwise eligible for assistance under this subsection.''; and

(8) by adding at the end the following new subparagraphs:

''(L) USE IN COOPERATIVE HOUSING AND ELEVATOR BUILDINGS.—A public housing agency may enter into a housing assistance payments contract under this paragraph with respect to—

''(i) dwelling units in cooperative housing;

''(ii) notwithstanding subsection (c), dwelling units in a high-rise elevator project, including such a project that is occupied by families with children, without review and approval of the contract by the Secretary.

''(M) REVIEWS.—

''(i) SUBSIDY LAYERING.—A subsidy layering review in accordance with section 102(d) of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545(d)) shall not be required for assistance under this subparagraph in the case of a housing assistance payments contract for an existing structure, or if a subsidy layering review has been conducted by the applicable State or local agency.

''(ii) ENVIRONMENTAL REVIEW.—A public housing agency shall not be required to undertake any environmental review before entering into a housing assistance payments contract under this paragraph for an existing structure, except to the extent such a review is otherwise required by law or regulation.

''(N) LEASES AND TENANCY.—Assistance provided under this paragraph shall be subject to the provisions of paragraph (7), except that subparagraph (A) of such paragraph shall not apply.''.

SEC. 12. RENT BURDENS.

(a) REVIEWS.—Section 8(o)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(1)) is amended by striking subparagraph (E) and inserting the following new subparagraph:

''(E) REVIEWS.—

''(i) RENT BURDENS.—The Secretary shall monitor rent burdens and submit a report to the Congress annually on the percentage of families assisted under this subsection, occupying dwelling units of any size, that pay more than 30 percent of their adjusted incomes for rent and such percentage that pay more than 40 percent of their adjusted incomes for rent. Using information regularly reported by public housing agencies, the Secretary shall provide public housing agencies, on an annual basis, a report with the information described in the first sentence of this clause, and may require a public housing agency to modify a payment standard that results in a significant percentage of families assisted under this subsection, occupying dwelling units of any size, paying more than 30 percent of their adjusted incomes for rent.

''(ii) CONCENTRATION OF POVERTY.—The Secretary shall submit a report to the Congress annually on the degree to which families assisted under this subsection in each metropolitan area are clustered in lower rent, higher poverty areas and how, and the extent to which, greater geographic distribution of such assisted families could be achieved, including by increasing payment standards for particular communities within such metropolitan areas.

''(iii) PUBLIC HOUSING AGENCY RESPONSIBILITIES.—Each public housing agency shall make publicly available the information on rent burdens provided by the Secretary pursuant to clause (i), and, for agencies located in metropolitan areas, the information on concentration provided by the Secretary pursuant to clause (ii). If the percentage of families paying more than 30 percent or 40 percent of income exceeds the national average for either of such categories, as reported pursuant to clause (i), the public housing agency shall adjust the payment standard to eliminate excessive rent burdens within a reasonable time period or explain its reasons for not making such adjustment. The Secretary may not deny the request of a public housing agency to set a payment standard up to 120 percent of the fair market rent to remedy rent burdens in excess of the national average or undue concentration of families assisted under this subsection in lower rent, higher poverty sections of a metropolitan area except on the basis that an agency has not demonstrated that its request meets these criteria. If a request of a public housing agency has not been denied or approved with 45 days after the request is made, the request shall be considered to have been approved.''.

(b) PUBLIC HOUSING AGENCY PLAN.—Section 5A(d)(4) of the United States Housing Act of 1937 (42 U.S.C. 1437c–1(d)(4)) is amended by inserting before the period at the end the following: '', including the report with respect to the agency furnished by the Secretary pursuant to section 8(o)(1)(E) concerning rent burdens and, if applicable, geographic concentration of voucher holders, any changes in rent or other policies the public housing agency is making to address excessive rent burdens or concentration, and if the public housing agency is not adjusting its payment standard, its reasons for not doing so''.

(c) RENT BURDENS FOR PERSONS WITH DISABILITIES.—Subparagraph (D) of section 8(o)(1) is amended by inserting before the period at the end the following: '', except that a public housing agency may establish a payment standard of not more than 120 percent of the fair market rent where necessary as a reasonable accommodation for a person with a disability, without approval of the Secretary. A public housing agency may seek approval of the Secretary to use a payment standard greater than 120 percent of the fair market rent as a reasonable accommodation for a person with a disability''.

SEC. 13. ESTABLISHMENT OF FAIR MARKET RENT.

(a) IN GENERAL.—Paragraph (1) of section 8(c) of the United States Housing Act of 1937 (42 U.S.C. 1437f(c)(1)) is amended—

(1) by inserting ''(A)'' after the paragraph designation;

(2) by striking the seventh, eighth, and ninth sentences; and

(3) by adding at the end the following:

''(B)(i) The Secretary shall endeavor to define market areas for purposes of this paragraph in a manner that results in fair market rentals that are adequate to cover typical rental costs of units suitable for occupancy by persons assisted under this section in as wide a range of communities as is feasible, including communities with low poverty rates.

''(ii) The Secretary at a minimum shall define a separate market area for each—

''(I) metropolitan city, as such term is defined in section 102(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)), with more than 40,000 rental dwelling units; and

''(II) urban county or portion of an urban county, as such term is defined in such section 102(a), located outside the boundaries of any metropolitan city specified in subclause (I).

''(iii) The Secretary shall, at the request of one or more public housing agencies, establish a separate market area for part or all of the area under the jurisdiction of such agencies, if—

''(I) the requested market area contains at least 20,000 rental dwelling units;

''(II) the areas contained in the requested market area are geographically contiguous and share similar housing market characteristics;

''(III) adequate data are available to establish a reliable fair market rental for the requested market area, and for the remainder of the market area in which it is currently located; and

''(IV) establishing the requested market area would raise or lower the fair market rental by 10 percent or more at the time the requested market area is established.

For purposes of subclause (III), data for an area shall be considered adequate if they are sufficient to establish from time to time a reliable benchmark fair market rental based primarily on data from that area, whether or not those data need to be supplemented with data from a larger area for purposes of annual updates.

''(iv) The Secretary shall not reduce the fair market rental in a market area as a result of a change in the percentile of the distribution of market rents used to establish the fair market rental.''.

(b) PAYMENT STANDARD.—Subparagraph (B) of section 8(o)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(1)(B)) is amended by inserting before the period at the end the following: '', except that no public housing agency shall be required as a result of a reduction in the fair market rental to reduce the payment standard applied to a family continuing to reside in a unit for which the family was receiving assistance under this section at the time the fair market rental was reduced''.

SEC. 14. SCREENING OF APPLICANTS.

Subparagraph (B) of section 8(o)(6) of the United States Housing Act of 1937 (1437f(o)(6)(B)) is amended by inserting after the period at the end of the second sentence the following: ''A public housing agency's elective screening shall be limited to criteria that are directly related to an applicant's ability to fulfill the obligations of an assisted lease and shall consider mitigating circumstances related to such applicant. Any applicant or participant determined to be ineligible for admission or continued participation to the program shall be notified of the basis for such determination and provided, within a reasonable time after the determination, an opportunity for an informal hearing on such determination at which mitigating circumstances, including remedial conduct subsequent to the notice, shall be considered.''.

SEC. 15. ENHANCED VOUCHERS.

Subparagraph (B) of section 8(t)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)(1)(B)) is amended by inserting after ''eligibility event for the project,'' the following: ''regardless of unit and family size standards normally used by the administering agency (except that tenants may be required to move to units of appropriate size if available on the premises),''.

SEC. 16. HOUSING INNOVATION PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—Title I of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) is amended by adding at the end the following new section:

''SEC. 36. HOUSING INNOVATION PROGRAM.

''(a) PURPOSE.—The purpose of the program under this section is to provide public housing agencies and the Secretary the flexibility to design and evaluate innovative approaches to providing housing assistance that—

''(1) increase housing opportunities for low-income families, including preventing homelessness, rehabilitate or replace housing at risk of physical deterioration or obsolescence, and develop additional affordable housing;

''(2) leverage other Federal, State, and local funding sources, including the low-income housing tax credit program, to expand and preserve affordable housing opportunities, including public housing;

''(3) provide financial incentives and other support mechanisms to families to obtain employment and increase earned income;

''(4) test alternative rent-setting policies to determine whether rent determinations can be simplified and administrative cost savings can be realized while protecting extremely low- and very low-income families from increased rent burdens;

''(5) are subject to rigorous evaluation to test the effectiveness of such innovative approaches; and

''(6) are developed with the support of the local community and with the substantial participation of affected residents.

''(b) PROGRAM AUTHORITY.—

''(1) SCOPE.—The Secretary shall carry out a housing innovation program under this section under which the Secretary may designate not more than 60 public housing agencies to participate, at any one time, in the housing innovation program, in accordance with subsections (c) and (d), except that, in addition to such 60 agencies, the Secretary may designate an additional 20 agencies to participate in the program under the terms of subsection (h).

''(2) DURATION.—The Secretary may carry out the housing innovation program under this section only during the 10-year period beginning on the date of the enactment of the Section 8 Voucher Reform Act of 2007.

''(c) PARTICIPATION OF EXISTING MTW AGENCIES.—

''(1) EXISTING MTW AGENCIES.—Subject to the requirements of paragraph (2), all existing MTW agencies shall be designated to participate in the program.

''(2) CONDITIONS OF PARTICIPATION.—The Secretary shall approve and transfer into the housing innovation program under this section each existing MTW agency that the Secretary determines is not in default under such agreement and which the Secretary also determines is meeting the goals and objectives of its moving to work plan. Each such agency shall, within two years after the date of the enactment of the Section 8 Voucher Reform Act of 2007, make changes to its policies that were implemented before such date of enactment in order to comply with the requirements of this section.

''(d) ADDITIONAL AGENCIES.—

''(1) PROPOSALS; SELECTION PROCESS.—In addition to agencies participating in the program pursuant to subsection (c), the Secretary shall,

within 18 months after such date of enactment, select public housing agencies to participate in the program pursuant to a competitive process that meets the following requirements:

''(A) Any public housing agency may be selected to participate in the program, except that not more than 5 agencies that are near-troubled under the public housing assessment system and/or section 8 management assessment program may be selected, and except that any agency for which the Secretary has hired an alternative management entity for such agency or has taken possession of all or any part of such agency's public housing program shall not be eligible for participation. Any near-troubled public housing agency participating in the program shall remain subject to the requirements of this Act governing tenant rent contributions, eligibility, and continued participation, and may not adopt policies described in subsection (e)(4) (relating to rents and requirements for continued occupation and participation).

''(B) The process provides, to the extent possible based on eligible agencies submitting applications and taking into account existing MTW agencies participating pursuant to subsection (c), for representation among agencies selected of agencies having various characteristics, including both large and small agencies, agencies serving urban, suburban, and rural areas, and agencies in various geographical regions throughout the United States, and which may include the selection of agencies that only administer the voucher program under section 8(o).

''(C) Any agency submitting a proposal under this paragraph shall have provided notice to residents and the local community, not later than 30 days before the first of the two public meetings required under subparagraph (D).

''(D) The agency submitting a proposal shall hold two public meetings to receive comments on the agency's proposed application, on the implications of changes under the proposal, and the possible impact on residents.

''(E) The process includes criteria for selection, as follows:

''(i) The extent to which the proposal generally identifies existing rules and regulations that impede achievement of the goals and objectives of the proposal and an explanation of why participation in the program is necessary to achieve such goals and objectives.

''(ii) The extent of commitment and funding for carrying out the proposal by local government agencies and nonprofit organizations, including the provision of additional funding and other services, and the extent of support for the proposal by residents, resident advisory boards, and members of the local community.

''(iii) The extent to which the agency has a successful history of implementing strategies similar to those set forth in the agency's proposal.

''(iv) Whether the proposal pursues a priority strategy as specified in paragraph (2). In the case of any proposal utilizing a such a priority strategy, the proposal shall be evaluated based upon—

''(I) the extent to which the proposal is likely to achieve the objectives of developing additional housing dwelling units affordable to extremely low-, very low-, and low-income families, and preserving, rehabilitating, or modernizing existing public housing dwelling units; or

''(II) the extent to which the proposal is likely to achieve the purposes of moving families toward economic self-sufficiency and increasing employment rates and wages of families without imposing a significant rent burden on the lowest income families, as well as such of the additional purposes as may be identified in the proposal, which may include expanding housing choices utilizing coordinators for the family self-sufficiency program under section 23, making more effective use of program funds, and improving program management.

''(v) Such other factors as the Secretary may provide, in consultation with participating agencies, program stakeholders, and any entity conducting evaluations pursuant to subsection (f).

''(2) PRIORITY STRATEGIES.—For purposes of paragraph (1)(E)(iv), the following are priority strategies:

''(A) DEVELOPMENT, REHABILITATION, AND FINANCING.—A strategy of development of additional affordable housing dwelling units and/or a strategy for preservation and physical rehabilitation and modernization of existing public housing dwelling units. Such strategies may include innovative financing proposals, leveraging of non-public housing funds (including the low-income housing tax credit program), and combining of funds for assistance under sections 8 and 9. Each such proposal shall include detailed information about the strategies expected to be employed, an explanation of why participation in the program is necessary to employ such strategies, and numerical goals regarding the number of dwelling units to be developed, preserved, or rehabilitated.

''(B) RENT REFORMS.—A strategy to implement rent reforms, which shall be designed to help families increase their earned income through rent and other work incentives, and may also test the effectiveness of achieving administrative cost savings without increased rent burdens for extremely low- and very low-income families.

''(3) CONTRACT AMENDMENT.—After selecting agencies under this subsection, the Secretary shall promptly amend the applicable annual contributions contracts of such agencies to provide that—

''(A) subject to subparagraph (B), such agencies may implement any policies and activities that are not inconsistent with this section without specifying such policies and activities in such amendment and without negotiating or entering into any other agreements with the Secretary specifying such policies and activities; and

''(B) the activities to be implemented by an agency under the program in a given year shall be described in and subject to the requirements of the annual plan under subsection (e)(8). Upon the enactment of this section, any agency which has participated in the Moving to Work demonstration may, at its option, be subject to the provisions of this paragraph in lieu of any other agreement required by the Secretary for participation in the program.

''(4) MAINTAINING PARTICIPATION RATE.—If, at any time after the initial selection period under paragraph (1), the number of public housing agencies participating in the program under this section is fewer than 40, the Secretary shall promptly solicit applications from and select public housing agencies to participate in the program under the terms and conditions for application and selection provided in this section to increase the number of agencies participating in the program to 40.

''(e) PROGRAM REQUIREMENTS.—

''(1) PROGRAM FUNDS.—

''(A) IN GENERAL.—To carry out a housing innovation program under this section, the participating agency may use amounts provided to the agency from the Operating Fund under section 9(e), amounts provided to the agency from the Capital Fund under section 9(d), and amounts provided to the agency for voucher assistance under section 8(o). Such program funds may be used for any activities that are authorized by sections 8(o) or 9, or for other activities that are not inconsistent with this section, which shall include, without limitation—

''(i) providing capital and operating assistance, and financing for housing previously developed or operated pursuant to a contract between the Secretary and such agency;

''(ii) the acquisition, new construction, rehabilitation, financing, and provision of capital or operating assistance for low-income housing (including housing other than public housing) and related facilities, which may be for terms exceeding the term of the program under this section in order to secure other financing for such housing;

''(iii) costs of site acquisition and improvement, providing utility services, demolition, planning, and administration of activities under this paragraph;

''(iv) housing counseling for low-income families in connection with rental or homeownership assistance provided under the program;

''(v) safety, security, law enforcement, and anticrime activities appropriate to protect and support families assisted under the program;

''(vi) tenant-based rental assistance, which may include the project-basing of such assistance; and

''(vii) appropriate and reasonable financial assistance that is required to preserve low-income housing otherwise assisted under programs administered by the Secretary or under State or local low-income housing programs.

''(B) COMBINING FUNDS.—Notwithstanding any other provision of law, a participating agency may combine and use program funds for any activities authorized under this section, except that a participating agency may use funds provided for assistance under section 8(o) for activities other than those authorized under section 8(o) only if (i) in the calendar year prior to its participation in the program, the agency utilized not less than 95 percent of such funds allocated for that calendar year for such authorized activities or 95 percent of its authorized vouchers, including vouchers ported in to the agency and vouchers ported out; or (ii) after approval to participate in the program, the agency achieves such utilization for a 12-month period. This subparagraph shall not apply to participating agencies approved by the Secretary to combine funds from sections 8 and 9 of the Act prior to enactment of this section.

''(2) USE OF PROGRAM FUNDS.—In carrying out the housing innovation program under this section, each participating agency shall continue to assist—

''(A) not less than substantially the same number of eligible low-income families under the program as it assisted in the base year for the agency; and

''(B) a comparable mix of families by family size, subject to adjustment to reflect changes in the agency's waiting list, except that the Secretary may approve exceptions to such requirements for up to 3 years based on modernization or redevelopment activities proposed in an annual plan submitted and approved in accordance with paragraph (8).

Determinations with respect to the number of families served shall be adjusted based on any allocation of additional vouchers under section 8(o) and to reflect any change in the percentage of program funds that a participating agency receives compared to the base year.

''(3) RETAINED PROVISIONS.—Notwithstanding any other provision of this section, families receiving assistance under this section shall retain the same rights of judicial review of agency action as they would otherwise have had if the agency were not participating in the program, and each participating agency shall comply with the following provisions of this Act:

''(A) Subsections (a)(2)(A) and (b)(1) of section 16 (relating to targeting for new admissions in the public housing and voucher programs).

''(B) Section 2(b) (relating to tenant representatives on the public housing agency board of directors).

''(C) Section 3(b)(2) (relating to definitions for the terms 'low-income families' and 'very low-income families').

''(D) Section 5(A)(e) (relating to the formation of and consultation with a resident advisory board).

''(E) Sections 6(f)(1) and 8(o)(8)(B) (relating to compliance of units assisted with housing quality standards or other codes).

''(F) Sections 6(c)(3), 6(c)(4)(i), and 8(o)(6)(B) (relating to rights of public housing applicants

and existing procedural rights for applicants under section 8(o)).

''(G) Section 6(k) (relating to grievance procedures for public housing tenants) and comparable procedural rights for families assisted under section 8(o).

''(H) Section 6(l) (relating to public housing lease requirements), except that for units assisted both with program funds and low-income housing tax credits, the initial lease term may be less than 12 months if required to conform lease terms with such tax credit requirements.

''(I) Section 7 (relating to designation of housing for elderly and disabled households), except that a participating agency may make such designations(at initial designation or upon renewal) for a term of up to 5 years if the agency includes in its annual plan under paragraph (8) an analysis of the impact of such designations on affected households and such designation is subject to the program evaluation. Any participating agency with a designated housing plan that was approved under the moving to work demonstration may continue to operate under the terms of such plan for a term of 5 years (with an option to renew on the same terms for an additional 5 years) if it includes in its annual plan an analysis of the impact of such designations on affected households and is subject to evaluation under subsection (f).

''(J) Subparagraphs (C) through (E) of section 8(o)(7) (relating to lease requirements and eviction protections for families assisted with tenant-based assistance).

''(K) Subject to paragraph (1)(B) of this subsection, section 8(o)(13)(B) (relating to a percentage limitation on project-based assistance), except that for purposes of this subparagraph such section shall be applied by substituting '50 percent' for '20 percent'.

''(L) Section 8(o)(13)(E) (relating to resident choice for tenants of units with project-based vouchers), except with respect to—

''(i) in the case of agencies participating in the moving to work demonstration, any housing assistance payment contract entered into within 2 years after the enactment of this section;

''(ii) project-based vouchers that replace public housing units;

''(iii) not more than 10 percent of the vouchers available to the participating agency upon entering the housing innovation program under this section; and

''(iv) any project-based voucher program that is subject to evaluation under subsection (f).

''(M) Section 8(r) (relating to portability of voucher assistance), except that a participating agency may receive funding for portability obligations under section 8(dd) in the same manner as other public housing agencies.

''(N) Subsections (a) and (b) of section 12 (relating to payment of prevailing wages).

''(O) Section 18 (relating to demolition and disposition of public housing).

''(4) RENTS AND REQUIREMENTS FOR CONTINUED OCCUPANCY OR PARTICIPATION.—

''(A) BEFORE POLICY CHANGE.—Before adopting any policy pursuant to participation in the housing innovation program under this section that would make a material change to the requirements of this Act regarding tenant rents or contributions, or conditions of continued occupancy or participation, a participating agency shall complete each of the following actions:

''(i) The agency shall conduct an impact analysis of the proposed policy on families the agency is assisting under the program under this section and on applicants on the waiting list, including analysis of the incidence and severity of rent burdens greater than 30 percent of adjusted income on households of various sizes and types and in various income tiers, that would result, if any, without application of the hardship provisions. The analysis with respect to applicants on the waiting list may be limited to demographic data provided by the applicable consolidated plan, information provided by the Secretary, and other generally available information. The proposed policy, including provisions for addressing hardship cases and transition provisions that mitigate the impact of any rent increases or changes in the conditions of continued occupancy or participation, and data from this analysis shall be made available for public inspection for at least 60 days in advance of the public meeting described in clause (ii).

''(ii) The agency shall hold a public meeting regarding the proposed change, including the hardship provisions, which may be combined with a public meeting on the draft annual plan under paragraph (8) or the annual report under paragraph (9).

''(iii) The board of directors or other similar governing body of the agency shall approve the change in public session.

''(iv) The agency shall obtain approval from the Secretary of the annual plan or plan amendment. The Secretary may approve a plan or amendment containing a material change to the requirements of this Act regarding tenant rents or contributions, or conditions of continued occupancy or participation, only if the agency agrees that such policy may be included as part of the national evaluation.

''(B) AFTER POLICY CHANGE.—After adopting a policy described in subparagraph (A), a program agency shall complete each of the following actions:

''(i) The agency shall provide adequate notice to residents, which shall include a description of the changes in the public housing lease or participation agreement that may be required and of the hardship or transition protections offered.

''(ii) In the case of any additional requirements for continued occupancy or participation, the agency shall execute a lease addendum or participation agreement specifying the requirements applicable to both the resident and the agency. A resident may bring a civil action to enforce commitments of the agency made through the lease addendum or participation agreement.

''(iii) The agency shall reassess rent, subsidy level, and policies on program participation no less often than every two years, which shall include preparing a revised impact analysis, and make available to the public the results of such reassessment and impact analysis. The requirement under this clause may be met by sufficiently detailed interim reports, if any, by the national evaluating entity.

''(iv) The agency shall include in the annual report under paragraph (8) information sufficient to describe any hardship requests, including the number and types of requests made, granted, and denied, the use of transition rules, and adverse impacts resulting from changes in rent or continued occupancy policies, including actions taken by the agency to mitigate such impacts and impacts on families no longer assisted under the program.

''(C) APPLICABILITY TO EXISTING MTW AGENCIES.—An existing MTW agency that, before the date of the enactment of this section, implemented material changes to the requirements of this Act regarding tenant rents or contributions, or conditions of continued occupancy or participation, as part of the moving to work demonstration shall not be subject to subparagraph (A) with regard to such previously implemented changes, but shall comply with the requirements of subparagraph (B)(ii) and provide the evaluation and impact analysis required by subparagraph (B)(iii) by the end of the second agency fiscal year ending after such date of enactment.

''(5) PROHIBITION AGAINST DECREASE IN PROGRAM FUNDS.—The amount of program funds a participating agency receives shall not be diminished by its participation in the housing innovation program under this section.

''(6) SUBMISSION OF INFORMATION.—As part of the annual report required under subsection (g)(2), each participating agency shall submit information annually to the Secretary regarding families assisted under the program of the agency and comply with any other data submissions required by the Secretary for purposes of evaluation of the program under this section.

''(7) PUBLIC AND RESIDENT PARTICIPATION.—Each participating agency shall provide opportunities for resident and public participation in the annual plan under paragraph (8), as follows:

''(A) NOTICE TO RESIDENTS.—

''(i) NOTICE.—Each year, the agency shall provide notice to the low-income families it serves under the programs authorized by this section as to the impact of proposed policy changes and program initiatives and of the schedule of resident advisory board and public meetings for the annual plan.

''(ii) MEETING.—The agency shall hold at least one meeting with the resident advisory board (including representatives of recipients of assistance under section 8) to review the annual plan for each year.

''(B) PUBLIC MEETING.—With respect to each annual plan, the agency shall hold at least one annual public meeting to obtain comments on the plan, which may be combined with a meeting to review the annual report. In the case of any agency that administers, in the aggregate, more than 15,000 public housing units and vouchers, the agency shall hold additional meetings in locations that promote attendance by residents and other stakeholders.

''(C) PUBLIC AVAILABILITY.—Before adoption of any annual plan, and not less than 30 days before the public meeting required under subparagraph (A)(ii) with respect to the plan, the agency shall make the proposed annual plan available for public inspection. The annual plan shall be made available for public inspection not less than 30 days before approval by the board of directors (or other similar governing body) of the agency and shall remain publicly available.

''(D) BOARD APPROVAL.—Before submitting an annual plan or annual report to the Secretary, the plan or report, as applicable, shall be approved in a public meeting by the board of directors or other governing body of the agency.

''(8) ANNUAL PLAN.—

''(A) REQUIREMENT.—For each year that a participating agency participates in the housing innovation program under this section, the agency shall submit to the Secretary, in lieu of all other planning requirements, an annual plan under this paragraph.

''(B) CONTENTS.—Each annual plan shall include the following information:

''(i) A list and description of all program initiatives and generally applicable policy changes, including references to affected provisions of law or the implementing regulations affected.

''(ii) A description and comparison of changes under the housing innovation program of the agency from the plan for such program for the preceding year.

''(iii) A description of property redevelopment or portfolio repositioning strategies and proposed changes in policies or uses of funds required to implement such strategies.

''(iv) Documentation of public and resident participation sufficient to comply with the requirements under paragraphs (4) and (7), including a copy of any recommendations submitted in writing by the resident advisory board of the agency and members of the public, a summary of comments, and a description of the manner in which the recommendations were addressed.

''(v) Certifications by the agency that—

''(I) the annual plan will be carried out in conformity with title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, title II of the Americans with Disabilities Act of 1990, and the rules, standards, and policies in the approved plan;

''(II) the agency will affirmatively further fair housing; and

''(III) the agency has complied and will continue to comply with its obligations under the national evaluation.

''(vi) A description of the agency's local asset management strategy for public housing properties, which shall be in lieu of any other asset

management, project based management or accounting, or other system of allocating resources and costs to participating agency assets or cost centers that the Secretary may otherwise impose under this Act.

''(C) CHANGES.—If the agency proposes to make material changes in policies or initiatives in the plan during the year covered by the plan, the agency shall consult with the resident advisory board for the agency established pursuant to section 5A(e) and the public regarding such changes before their adoption.

''(D) APPROVAL PROCESS.—

''(i) TIMING.—The Secretary shall review and approve or disapprove each annual plan submitted to the Secretary within 45 days after such submission.

''(ii) STANDARDS FOR DISAPPROVAL.—The Secretary may disapprove a plan only if—

''(I) the Secretary reasonably determines, based on information contained in the annual plan or annual report, that the agency is not in compliance with the requirements of this section;

''(II) the annual plan or most recent annual report is not consistent with other reliable information available to the Secretary; or

''(III) the annual plan or annual report or the agency's activities under the program are not otherwise in accordance with applicable law.

''(iii) FAILURE TO DISAPPROVE.—If a submitted plan is not disapproved within 45 days after submission, the plan shall be considered to be approved for purposes of this section. The preceding sentence shall not preclude judicial review regarding such compliance pursuant to chapter 7 of title 5, United States Code, or an action regarding such compliance under section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983).

''(f) EVALUATION OF PERFORMANCE.—

''(1) IN GENERAL.—Not later than the expiration of the one-year period that begins upon selection under subsection (d) of at least half of the number of agencies able to participate in the program under this section, the Secretary shall conduct detailed evaluations of all public housing agencies participating in the program under this section—

''(A) to determine the level of success of each public housing agency in achieving the purposes of the program under subsection (a); and

''(B) to identify program models that can be replicated by other agencies to achieve such success.

''(2) REPORTS.—

''(A) IN GENERAL.—The Secretary shall submit three reports to the Congress, as provided in subparagraph (B), evaluating the programs of all public housing agencies participating in the program under this section and all agencies participating in the moving to work demonstration. Each such report shall include findings and recommendations for any appropriate legislative action.

''(B) TIMING.—The reports under this paragraph shall include—

''(i) an initial report, which shall be submitted before the expiration of the 3-year period beginning on the date of the enactment of the Section 8 Voucher Reform Act of 2007;

''(ii) an interim report, which shall be submitted before the expiration of the 5-year period beginning on such date of enactment; and

''(iii) a final report, which shall be submitted before the expiration of the 10-year period beginning on such date of enactment.

''(3) EVALUATING ENTITY.—The Secretary may contract out the responsibilities under this paragraphs (1) and (2) to an independent entity that is qualified to perform such responsibilities.

''(4) PERFORMANCE MEASURES.—The Secretary or the evaluating entity, as applicable, shall establish performance measures, which may include—

''(A) a baseline performance level against which program activities may be evaluated; and

''(B) performance measures for—

''(i) increasing housing opportunities for extremely low-, very low-, and low-income families, replacing or rehabilitating housing at risk of physical deterioration or obsolescence, and developing additional affordable housing;

''(ii) leveraging other Federal, State, and local funding sources, including the low-income housing tax credit program, to expand and preserve affordable housing opportunities, including public housing;

''(iii) moving families to self-sufficiency and increasing employment rates and wages of families without imposing a significant rent burden on the families having the lowest incomes;

''(iv) reducing administrative costs; and

''(v) any other performance measures that the Secretary or evaluating entity, as applicable, may establish.

''(g) RECORDKEEPING, REPORTS, AND AUDITS.—

''(1) RECORDKEEPING.—Each public housing agency participating in the program under this section shall keep such records as the Secretary may prescribe as reasonably necessary to disclose the amounts and the disposition of amounts under the program, to ensure compliance with the requirements of this section, and to measure performance.

''(2) REPORTS.—In lieu of all other reporting requirements, each such agency participating in the program shall submit to the Secretary an annual report in a form and at a time specified by the Secretary. Each annual report shall include the following information:

''(A) A description, including an annual consolidated financial report, of the sources and uses of funds of the agency under the program, which shall account separately for funds made available under section 8 and subsections (d) and (e) of section 9, and shall compare the agency's actions under the program with its annual plan for the year.

''(B) An annual audit that complies with the requirements of Circular A–133 of the Office of Management and Budget, including the OMB Compliance Supplement.

''(C) A description of each hardship exception requested and granted or denied, and of the use of any transition rules.

''(D) Documentation of public and resident participation sufficient to comply with the requirements under paragraph (7).

''(E) A comparison of income and the sizes and types of families assisted by the agency under the program compared to those assisted by the agency in the base year.

''(F) Every two years, an evaluation of rent policies, subsidy level policies, and policies on program participation.

''(G) A description of any ongoing local evaluations and the results of any local evaluations completed during the year.

''(3) ACCESS TO DOCUMENTS BY SECRETARY.—The Secretary shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to assistance in connection with, and the requirements of, this section.

''(4) ACCESS TO DOCUMENTS BY THE COMPTROLLER GENERAL.—The Comptroller General of the United States, or any of the duly authorized representatives of the Comptroller General, shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to assistance in connection with, and the requirements of, this section.

''(5) REPORTS REGARDING EVALUATIONS.—The Secretary shall require each public housing agency participating in the program under this section to submit to the Secretary, as part of the agency's annual report under paragraph (2), such information as the Secretary considers appropriate to permit the Secretary to evaluate (pursuant to subsection (f)) the performance and success of the agency in achieving the purposes of the demonstration.

''(h) ADDITIONAL PROGRAM AGENCIES.—In participating in the program under the terms of this subsection, the public housing agencies designated for such participation shall be subject to the requirements of this section, and the additional following requirements:

''(1) APPLICABILITY OF CERTAIN EXISTING PROVISIONS.—Such agencies shall be subject to the provisions of—

''(A) subsections (a) and (b) of section 3; and

''(B) section 8(o), except for paragraph (11) and except that such agencies shall not be required to comply with any provision of such section 8(o) that pursuant to subsection (e)(3) of this section does not apply to agencies that are subject to such section (e)(3).

''(2) NO TIME LIMITS.—Such agencies may not impose time limits on the term of housing assistance received by families under the program.

''(3) NO EMPLOYMENT CONDITIONS.—Such agencies may not condition the receipt of housing assistance by families under the program on the employment status of one of more family members.

''(4) ONE-FOR-ONE REPLACEMENT.—

''(A) CONDITIONS ON DEMOLITION.—Such agencies may not demolish or dispose of any dwelling unit of public housing operated or administered by such agency (including any uninhabitable unit and any unit previously approved for demolition) except pursuant to a plan for replacement of such units in accordance with, and approved by the Secretary of Housing and Urban Development pursuant to, subparagraph (B).

''(B) PLAN REQUIREMENTS.—The Secretary may not approve a plan that provides for demolition or disposition of any dwelling unit of public housing referred to in subparagraph (A) unless—

''(i) such plan provides for outreach to public housing agency residents in accordance with paragraph (5);

''(ii) not later than 60 days before the date of the approval of such plan, such agency has convened and conducted a public hearing regarding the demolition or disposition proposed in the plan;

''(iii) such plan provides that for each such dwelling unit demolished or disposed of, such public housing agency will provide an additional dwelling unit through—

''(I) the acquisition or development of additional public housing dwelling units; or

''(II) the acquisition, development, or contracting (including through project-based assistance) of additional dwelling units that are subject to requirements regarding eligibility for occupancy, tenant contribution toward rent, and long-term affordability restrictions which are comparable to public housing units;

''(iv) such plan provides for a right, and implementation of such right, to occupancy of additional dwelling units provided in accordance with clause (iii), for households who, as of the time that dwelling units demolished or disposed of were vacated to provide for such demolition or disposition, were occupying such dwelling units;

''(v) such plan provides that the proposed demolition or disposition and relocation will be carried out in a manner that affirmatively furthers fair housing, as described in subsection (e) of section 808 of the Civil Rights Act of 1968; and

''(vi) to the extent that such plan provides for the provision of replacement or additional dwelling units, or redevelopment, in phases over time, such plan provides that the ratio of dwelling units described in subclauses (I) and (II) of clause (iii) that are provided in any such single phase to the total number of dwelling units provided in such phase is not less than the ratio of the aggregate number of such dwelling units provided under the plan to the total number of dwelling units provided under the plan.

''(C) INAPPLICABLE PROVISIONS.—Subparagraphs (B) and (D) of section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(13)) shall not apply with respect to vouchers used to comply with the requirements of subparagraph (B)(iii) of this paragraph.

''(D) MONITORING.—The Secretary of Housing and Urban Development shall provide for the appropriate field offices of the Department to monitor and supervise enforcement of this paragraph and plans approved under this paragraph and to consult, regarding such monitoring and enforcement, with resident councils of, and residents of public housing operated or administered by, the agency.

''(5) COMPREHENSIVE OUTREACH PLAN.—No program funds of such agencies may be use to demolish, dispose of, or eliminate any public housing dwelling units except in accordance with a comprehensive outreach plan for such activities, developed by the agency in conjunction with the residents of the public housing agency, as follows:

''(A) The plan shall be developed by the agency and a resident task force, which may include members of the Resident Council, but may not be limited to such members, and which shall represent all segments of the population of residents of the agency, including single parent-headed households, the elderly, young employed and unemployed adults, teenage youth, and disabled persons.

''(B) The votes and agreements regarding the plan shall involve not less than 25 and not more than 35 persons.

''(C) The plan shall provide for and describe outreach efforts to inform residents of the program under this subsection, including a door-to-door information program, monthly newsletters to each resident household, monthly meetings dedicated solely to every aspect of the proposed development, including redevelopment factors, which shall include the one-for-one replacement requirement under paragraph (5), resident rights to return, the requirements of the program under this subsection, new resident support and community services to be provided, opportunities for participation in architectural design, and employment opportunities for residents, which shall reserve at least 70 percent of the jobs in demolition activities and 50 percent of the jobs in construction activities related to the redevelopment project, including job training, apprenticeships, union membership assistance.

''(D) The plan shall provide for regularly scheduled monthly meeting updates and a system for filing complaints about any aspect of the redevelopment process.

''(i) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

''(1) EXISTING MTW AGENCY.—The term 'existing MTW agency' means a public housing agency that as of the date of the enactment of the Section 8 Voucher Reform Act of 2007 has an existing agreement with the Secretary pursuant to the moving to work demonstration.

''(2) BASE YEAR.—The term 'base year' means, with respect to a participating agency, the agency fiscal year most recently completed prior to selection and approval for participation in the housing innovation program under this section.

''(3) MOVING TO WORK DEMONSTRATION.—The term 'moving to work demonstration' means the moving to work demonstration program under section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (42 U.S.C. 1437f note).

''(4) PARTICIPATING AGENCIES.—The term 'participating agencies' means public housing agencies designated and approved for participation, and participating, in the housing innovation program under this section.

''(5) PROGRAM FUNDS.—The term 'program funds' means, with respect to a participating agency, any amounts that the agency is authorized, pursuant to subsection (e)(1), to use to carry out the housing innovation program under this section of the agency.

''(6) RESIDENTS.—The term 'residents' means, with respect to a public housing agency, tenants of public housing of the agency and participants in the voucher or other housing assistance programs of the agency funded under section 8(o), or tenants of other units owned by the agency and assisted under this section.

''(j) AUTHORIZATION OF APPROPRIATIONS FOR RESIDENT TECHNICAL ASSISTANCE.—There is authorized to be appropriated for each of fiscal years 2008 through 2012 $10,000,000, for providing capacity building and technical assistance to enhance the capabilities of low-income families assisted under the program under this section to participate in the process for establishment of annual plans under this section for participating agencies.

''(k) AUTHORIZATION OF APPROPRIATIONS FOR EVALUATIONS.—There is authorized to be appropriated $15,000,000 to the Department of Housing and Urban Development for the purpose of conducting the evaluations required under subsection (f)(1).''.

(b) GAO REPORT.—Not later than 48 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the Congress on the extent to which the public housing agencies participating in the housing innovation program under section 36 of the United States Housing Act of 1937 are meeting the goals and purposes of such program, as identified in subsection (a) of such section 36.

SEC. 17. DEMONSTRATION PROGRAM WAIVER AUTHORITY.

(a) AUTHORITY TO ENTER INTO AGREEMENTS.—Notwithstanding any other provision of law, the Secretary of Housing and Urban Development may enter into such agreements as may be necessary with the Social Security Administration and the Secretary of Health and Human Services to allow for the participation, in any demonstration program described in subsection (c), by the Department of Housing and Urban Development and the use under such program of housing choice vouchers under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

(b) WAIVER OF INCOME REQUIREMENTS.—The Secretary of Housing and Urban Development may, to extent necessary to allow rental assistance under section 8(o) of the United States Housing Act of 1937 to be provided on behalf of persons described in subsection (c) who participate in a demonstration program described in such subsection, and to allow such persons to be placed on a waiting list for such assistance, partially or wholly disregard increases in earned income for the purpose of rent calculations under section 3 for such persons.

(c) DEMONSTRATION PROGRAMS.—A demonstration program described in this subsection is a demonstration program of a State that provides for persons with significant disabilities to be employed and continue to receive benefits under programs of the Department of Health and Human Services and the Social Security Administration, including the program of supplemental security income benefits under title XVI of the Social Security Act, disability insurance benefits under title II of such Act, and the State program for medical assistance (Medicaid) under title XIX of such Act.

SEC. 18. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated the amount necessary for each of fiscal years 2008 through 2012 to provide public housing agencies with incremental tenant-based assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) sufficient to assist 20,000 incremental dwelling units in each such fiscal year.

SEC. 19. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, this Act and the amendments made by this Act, shall take effect on January 1, 2008.

The Acting CHAIRMAN. No amendment to the committee amendment is in order except the amendments printed in House Report 110–227. Each amendment may be offered only in the order printed in the report; by a member designated in the report; shall be considered read; shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment; shall not be subject to amendment; and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. WATERS

The Acting CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110–227.

Ms. WATERS. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Ms. WATERS:

Page 4, line 16, strike ''biennial inspections'' and insert ''inspections not less often than biennially''.

Page 6, strike lines 5 and 6 and insert the following:

(3) by redesignating subparagraph (E) as subparagraph (G);

(4) by inserting after subparagraph (D) the following new subparagraphs:

''(E) INTERIM INSPECTIONS.—Upon notification to the public housing agency, by a family on whose behalf tenant-based rental assistance is provided under this subsection or by a government official, that the dwelling unit for which such assistance is provided does not comply with the housing quality standards under subparagraph (B), the agency shall inspect the dwelling unit—

''(i) in the case of any condition that is life-threatening, within 24 hours after receipt of such notice; and

''(ii) in the case of any condition that is not life-threatening, within 15 days after receipt of such notice.''.

Page 7, strike lines 1 through 3 and insert the following:

''(III) the failure to comply is not corrected—

''(aa) in the case of any such failure that is a result of life-threatening conditions, within 24 hours after receipt of such notice; and

''(bb) in the case of any such failure that is a result of non-life threatening conditions, within 30 days after receipt of such notice or such other reasonable period as the public housing agency may establish.''.

Page 7, line 4, strike ''AND RELEASE''.

Page 7, strike ''Subject'' in line 10 and all that follows through line 14, and insert the following: ''Upon completion of repairs by the public housing agency or the owner sufficient so that the dwelling unit complies with such housing quality standards, the agency shall recommence payments under the housing assistance payments contract to the owner of the dwelling unit.''.

Page 7, strike ''(or to'' in line 19 and all that follows through line 24, and insert the following: '', except that a contract to make repairs may not be entered into with the inspector for the dwelling unit referred to in clause (i)(I).''.

Page 8, line 6, after the period insert the following: ''During the period that assistance is withheld pursuant to this subparagraph, the tenant may terminate the tenancy by notifying the owner.''.

Page 8, strike ''before'' in line 12 and all that follows through line 16, and insert the following: ''within 60 days after the effective date of the determination of noncompliance

under clause (i), or such other reasonable period as the public housing agency may establish, and the agency does not use its authority under clause (iii), the agency shall terminate the housing assistance payments contract for the dwelling unit. The agency shall provide the family residing in such a dwelling unit a period of 90 days, beginning upon termination of the contract, to lease a new residence to assist with the tenant-based rental assistance made available under this section for the family. If the family is unable to lease such a new residence during such period, the public housing agency shall extend the period during which the family may lease a new residence to be assisted with such assistance or provide such family a preference for occupancy in a dwelling unit of public housing owned or operated by the agency that first becomes available for occupancy after the expiration of such period. The agency shall provide reasonable assistance to the family in finding a new residence, including use of two months of any assistance amounts withheld pursuant to clause (ii) for costs associated with relocation of the family to a new residence.''.

Page 8, after line 16, insert the following:

''(vi) LIMITATION OF LIABILITY OF PUBLIC HOUSING AGENCIES.—A public housing agency that uses its authority under clause (iii) shall not, if the agency accomplishes the work through a contractor that is licensed, bonded, and insured in amounts and with coverage as required by the Secretary, be liable for any injury or damages that may result to persons or to any property owned by the tenant or owner.

''(vii) TENANT-CAUSED DAMAGES.—If a public housing agency determines that any damage to a dwelling unit that results in a failure of the dwelling unit to comply with housing quality standards under subparagraph (B), other than any damage resulting from ordinary use, was caused by the tenant, any member of the tenant's household, or any guest or other person under the tenant's control, the agency may, in the discretion of the agency, waive the applicability of this subparagraph, except that this clause shall not exonerate a tenant from any liability otherwise existing under applicable law for damages to the premises caused by such tenant.''.

Page 8, line 17, strike ''(vi)'' and insert ''(viii)''.

Page 9, line 13, strike ''and''.

Page 9, after line 13, insert the following:

(B) in paragraph (1)—

(i) by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)''; and

(ii) by striking ''paragraph (3)'' and inserting ''paragraph (4)'';

(C) in paragraph (2)(A)(i), by striking ''paragraph (3)'' and inserting ''paragraph (4)'';

(D) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively;

(E) by inserting after paragraph (2) the following new paragraph:

''(3) PHA AUTHORITY TO ESTABLISH ALTERNATIVE RENTS.—

''(A) RENT FLEXIBILITY FOR PUBLIC HOUSING AND VOUCHER PROGRAM.—Subject to the requirements under subparagraph (B), a public housing agency may establish for public housing and for families on whose behalf assistance is provided under the program for tenant-based voucher assistance under section 8(o)—

''(i) a tenant rent structure in which—

''(I) the public housing agency establishes, based on the rental value of the unit, as determined by the public housing agency—

''(aa) a ceiling rent for each dwelling unit that it owns and operates; and

''(bb) a ceiling on the amount of the tenant contribution toward rent required of a family provided tenant-based assistance; and

''(II) such ceiling rent and tenant contribution are adjusted periodically on the basis of an inflation index or a recalculation of the rental value of the unit (which may be recalculated by unit or by building);

''(ii) an income-tiered tenant rent structure in which the amount of rent a family shall pay is set and distributed on the basis of broad tiers of income and such tiers and rents are adjusted on the basis of an annual cost index except that families entering public housing shall not be offered a rent lower than the rent corresponding to their income tier; or

''(iii) a tenant rent structure in which the amount of rent a family shall pay is based on a percentage of family income, except that lower percentages may apply only with respect to earned income; such a rent structure may provide for an amount of rent based on a calculation of earned income that provides for disregard of a higher percentage or higher dollar amount, or both, than provided for in paragraph (8)(B).

''(B) LIMITATION.—Notwithstanding the authority provided under subparagraph (A), the amount paid for rent (including the amount allowed for tenant-paid utilities) by any family for a dwelling unit in public housing or for rental of a dwelling unit for which tenant-based voucher assistance under section 8(o) is provided may not exceed the amount determined under subsection (a)(1) of this section or section 8(o), respectively. The Secretary shall issue regulations and establish procedures to ensure compliance with this subparagraph.

''(C) ELDERLY FAMILIES AND DISABLED FAMILIES.—Notwithstanding any other provision of this Act, this paragraph shall not apply to elderly families and disabled families.''; and

Page 9, line 14, strike ''(B)'' and insert ''(F)''.

Page 9, line 16, strike ''(6)'' and insert ''(7)''.

Page 12, line 19, strike ''(7)'' and insert ''(8)''.

Page 13, line 3, strike ''(6)(A)'' and insert ''(7)(A)''.

Page 13, line 18, strike ''(6)(B)(ii)'' and insert ''(7)(B)(ii)''.

Page 15, line 6, strike ''(6)'' and insert ''(7)''.

Page 19, line 13, strike ''(6) and (7)'' and insert ''(7) and (8)''.

Page 30, after line 11, insert the following:

''(xi) relocation and replacement of public housing units that are demolished or disposed of pursuant to eminent domain, pursuant to a homeownership program, or in connection with a mixed finance development method under section 35 or otherwise;''

Page 30, line 12, strike ''(xi)'' and insert ''(xii)''.

Page 30, line 15, strike ''(xii)'' and insert ''(xiii)''.

Page 30, line 24, strike ''or (x)'' and insert ''(x), or (xi)''.

Page 31, line 16, before the semicolon insert ''and of any incremental vouchers funded in previous years''.

Page 36, line 14, strike ''one twelfth'' and insert ''12.5 percent of''.

Page 39, lines 6 and 7, strike ''until superseded through subsequent rulemaking,''.

Page 57, after line 18, insert the following:

''(N) ADMINISTRATIVE FEE.—The administrative fee applicable to the administration of assistance under this paragraph shall be determined in the same manner as administrative fees applicable to other assistance administered under other provisions of this subsection.''.

Page 57, line 19, strike ''(N)'' and insert ''(O)''.

Page 68, line 6, after ''any agency'' insert ''that is a troubled agency under either such assessment program or''

Page 92, strike ''Not'' in line 5 and all that follows through ''the'' in line 9 and insert ''The''.

Strike line 24 on page 97 and all that follows through line 4 on page 98, and insert the following:

''(B) section 8(o), except for paragraph (11) and except as the requirements of section 8(o) are modified by subsection (e)(3) of this section.''.

Page 100, line 2, before the semicolon insert the following: '', except that no household may be prevented from occupying a replacement dwelling unit provided pursuant to clause (iii) except to the extent specifically provided by any other provision of Federal law (including subtitle F of title V of the Quality Housing and Work Responsibility Act of 1998 (42 U.S.C. 13661 et seq.; relating to safety and security in public and assisted housing, subtitle D of title VI of the Housing and Community Development Act of 1992 (42 U.S.C. 13611 et seq.; relating to preferences for elderly and disabled residents), and section 16(f) of this Act (42 U.S.C. 1437n(f)); relating to ineligibility of persons convicted of methamphetamine offenses)''.

Page 101, line 22, strike '', dispose of, or eliminate'' and insert ''or dispose of''.

Page 102, strike lines 12 through 14 and insert the following:

''(b) The votes and agreements regarding the plan shall involve—

''(i) in the case of any public housing agency that administers 250 or fewer public housing dwelling units, not less than 10 percent of affected residents; and

''(ii) in the case of any public housing agency that administers more than 250 public housing dwelling units, not less than 25 affected residents''.

Page 103, strike lines 4 through 6 and insert the following: ''make available at least 30 percent of the total hours worked at all such employment, and shall also make available at least 25 percent of unskilled jobs in demolition activities and 25 percent of unskilled jobs in construction activities related to the redevelopment''.

Page 107, after line 2, insert the following new section:

SEC. 18. ACCESS TO HUD PROGRAMS FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY.

(a) HUD RESPONSIBILITIES.—To allow the Department of Housing and Urban Development to better serve persons with limited proficiency in the English language by providing technical assistance to recipients of Federal funds, the Secretary of Housing and Urban Development shall take the following actions:

(1) TASK FORCE.—Within 90 days after the enactment of this Act, convene a task force comprised of appropriate industry groups, recipients of funds from the Department of Housing and Urban Development (in this section referred to as the ''Department''), community-based organizations that serve individuals with limited English proficiency, civil rights groups, and stakeholders, which shall identify a list of vital documents, including Department and certain property and other documents, to be competently translated to improve access to federally conducted and federally assisted programs and activities for individuals with limited English proficiency. The task force shall meet not less frequently than twice per year.

(2) TRANSLATIONS.—Within 6 months after identification of documents pursuant to paragraph (1), produce translations of the documents identified in all necessary languages and make such translations available as part of the library of forms available on the website of the Department and as part of the clearinghouse developed pursuant to paragraph (4).

(3) PLAN.—Develop and carry out a plan that includes providing resources of the Department to assist recipients of Federal funds to improve access to programs and activities for individuals with limited English proficiency, which plan shall include the elements described in paragraph (4).

(4) HOUSING INFORMATION RESOURCE CENTER.—Develop and maintain a housing information resource center to facilitate the provision of language services by providers of housing services to individuals with limited English proficiency. Information provided by such center shall be made available in printed form and through the Internet. The resources provided by the center shall include the following:

(A) TRANSLATION OF WRITTEN MATERIALS.—The center may provide, directly or through contract, vital documents from competent translation services for providers of housing services.

(B) TOLL-FREE CUSTOMER SERVICE TELEPHONE NUMBER.—The center shall provide a 24-hour toll-free interpretation service telephone line, by which recipients of funds of the Department and individuals with limited English proficiency may—

(i) obtain information about federally conducted or federally assisted housing programs of the Department;

(ii) obtain assistance with applying for or accessing such housing programs and understanding Federal notices written in English; and

(iii) communicate with housing providers. and learn how to access additional language services.

The toll-free telephone service provided pursuant to this subparagraph shall supplement resources in the community identified by the plan developed pursuant to paragraph (3).

(C) DOCUMENT CLEARINGHOUSE.—The center shall collect and evaluate for accuracy or develop, and make available, templates and documents that are necessary for consumers, relevant industry representatives, and other stakeholders of the Department, to access, make educated decisions, and communicate effectively about their housing, including—

(i) administrative and property documents;

(ii) legally binding documents;

(iii) consumer education and outreach materials;

(iv) documents regarding rights and responsibilities of any party; and

(v) remedies available to consumers.

(D) STUDY OF LANGUAGE ASSISTANCE PROGRAMS.—The center shall conduct a study that evaluates best-practices models for all programs of the Department that promote language assistance and strategies to improve language services for individuals with limited English proficiency. Not later than 18 months after the date of the enactment of this Act, the center shall submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate, which shall provide recommendations for implementation, specific to programs of the Department, and information and templates that could be made available to all recipients of grants from the Department.

(E) CULTURAL AND LINGUISTIC COMPETENCE MATERIALS.—The center shall provide information relating to culturally and linguistically competent housing services for populations with limited English proficiency.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out subsection (a).

(c) REPORT.—Not later than the expiration of the 6-month period beginning on the date of the enactment of this Act, and annually thereafter, the Secretary of Housing and Urban Development shall submit a report regarding its compliance with the requirements under subsection (a) to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

The Acting CHAIRMAN. Pursuant to House Resolution 534, the gentlewoman from California (Ms. WATERS) and a Member opposed each will control 5 minutes.

MODIFICATION TO AMENDMENT NO. 1 OFFERED BY MS. WATERS

Ms. WATERS. Madam Chairman, I ask unanimous consent that the amendment be modified by the form I have placed at the desk.

The Acting CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 1 offered by Ms. WATERS:

The amendment is modified as follows:

In the matter proposed to be inserted by the eighth amendment instruction of the amendment (which begins ''Page 8, strike 'before' in line 12''), strike ''The agency shall provide the family'' and all that follows through ''relocation of the family to a new residence.''.

Strike the matter proposed to be inserted by the amendment at page 8 of the bill, after line 16, and insert the following:

''(vi) RELOCATION.—If the public housing agency terminates the housing assistance payments contract for a dwelling unit, the lease for any family residing in that unit shall terminate and the family may remain in the unit subject to a new lease as an unassisted family. The agency shall provide the family residing in such a dwelling unit a period of 90 days, beginning upon termination of the contract, to lease a new residence to assist with the tenant-based rental assistance made available under this section for the family. If the family is unable to lease such a new residence during such period, the public housing agency shall extend the period during which the family may lease a new residence to be assisted with such assistance or provide such family a preference for occupancy in a dwelling unit of public housing owned or operated by the agency that first becomes available for occupancy after the expiration of such period. The agency shall provide reasonable assistance to the family in finding a new residence, including use of two months of any assistance amounts withheld pursuant to clause (ii) for costs associated with relocation of the family to a new residence.

''(vii) LIMITATION OF LIABILITY OF PUBLIC HOUSING AGENCIES.—A public housing agency that uses its authority under clause (iii) shall not, if the agency accomplishes the work through a contractor that is licensed, bonded, and insured in amounts and with coverage as required by the Secretary, be liable for any injury or damages that may result to persons or to any property owned by the tenant or owner.

''(viii) TENANT-CAUSED DAMAGES.—If a public housing agency determines that any damage to a dwelling unit that results in a failure of the dwelling unit to comply with housing quality standards under subparagraph (B), other than any damage resulting from ordinary use, was caused by the tenant, any member of the tenant's household, or any guest or other person under the tenant's control, the agency may, in the discretion of the agency, waive the applicability of this subparagraph, except that this clause shall not exonerate a tenant from any liability otherwise existing under applicable law for damages to the premises caused by such tenant.''.

Strike the matter proposed to be inserted by the amendment at page 8 of the bill, line 17, and insert ''(ix)''.

Ms. WATERS (during the reading). Madam Chairman, I ask unanimous consent to dispense with the reading of the amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentlewoman from California?

There was no objection.

The Acting CHAIRMAN. Without objection, the amendment is modified.

There was no objection.

The Acting CHAIRMAN. The Chair recognizes the gentlewoman from California.

Ms. WATERS. Thank you very much, Madam Chairman.

I would like to thank the distinguished chairman of the Committee on Financial Services, Mr. BARNEY FRANK, and Ranking Member JUDY BIGGERT for their strong support of the manager's amendment to H.R. 1851.

The purpose of the amendment is to reform and improve the Section 8 Voucher Reform Act of 2007, regarding inspections, flexibility in rent-setting, transitional funding for the Nation's Public Housing Agencies, administrative fee calculations, limited English proficiency requirements, and the Housing Innovation Program. It also makes technical corrections to the bill.

The amendment provides more flexibility to make inspections by requiring them less frequently than every 2 years. This change will allow PHAs in areas with a deteriorating housing stock to conduct additional inspections in order to make sure families are housed in safe and decent units. In addition, the amendment fills the need for inspections that can be conducted at the request of the tenant within a specific amount of time.

My amendment solves a real catch-22 that often arises in the section 8 program. Many section 8 landlords are not large real estate concerns, but mom-and-pop operations that are not getting rich. Where units operated by a landlord fail inspection, right now there is a real danger that the landlord will choose to leave the program rather than make the repairs. This benefits nobody. And there is the catch-22. The landlord wants to stay in the program; the tenant certainly wants to stay in the unit if it can be repaired; but current law makes this positive resolution difficult to achieve.

PHAs will have the option to make repairs on the landlord's behalf. If the PHA or the landlord choose not to make the repair, the amendment protects tenants who will have to move to a new unit through no fault of their own. In the event a PHA chooses not to make a repair and the landlord still declines to repair the unit, the amendment provides important tenant protections.

There is rent flexibility. Sometimes the rigid section 8 rent structure just

doesn't work. In order to find a rent mechanism that works, the amendment gives PHAs flexibility in setting rents. While the calculations may be different, the amendment preserves affordability standards that limit the amount of rent a tenant pays to 30 percent of his or her income. The 30 percent threshold is sacred, because we all know that if the rent exceeds this amount, tenants lose the ability to make ends meet.

When we move to a new funding formula, PHAs will need sufficient reserves to allow them to make the change smoothly and with little disruption for tenants. H.R. 1851 provides a 1-month reserve for the first year of the formula. But to ensure that PHAs are able to serve additional families in the formula's first year, the amendment moderately increases this reserve from the 1-month level to the 1½-month level. This ensures PHAs will have adequate funds to transition.

The amendment corrects the disparity between the calculation of the administrative fees for project-based units owned by PHAs and other units in the PHA's inventory. Units owned by PHAs would receive the same fee as other units receiving project-based assistance in the PHA's inventory, providing an incentive for PHAs to create housing opportunities by project-basing its own units.

The amendment also addresses HUD's problematic implementation of Limitation of English Proficiency requirements. The manager's amendment seeks to remedy this problem. The amendment calls for HUD to convene a task force of interested parties and stakeholders who will determine the documents that need to be translated, and to make these translations available in various languages within 6 months. HUD is also required to maintain a housing information resource center, including a 24-hour toll-free number and a document clearinghouse.

We also include Housing Innovation Program, that is HIP program, formerly known as Moving to Work, and this amendment makes several corrections to the Housing Innovation Program formerly called Moving to Work. These changes clarify that troubled agencies are not eligible to participate in the program, clarifies resident participation requirements, specifies job opportunities to be made for residents, and ensures that following demolition or replacement of public housing units, that families cannot be screened out of public housing unless they are otherwise ineligible under Federal law.

I ask support for the manager's amendment.

I reserve the balance of my time.

Mrs. BIGGERT. Madam Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIRMAN. Without objection, the gentlewoman from Illinois is recognized for 5 minutes.

There was no objection.

Mrs. BIGGERT. I would like to thank Chairwoman WATERS for her manager's amendment and, in particular, the 12.5 percent for the transition in the public housing.

Madam Chair, I yield to my colleague, Mr. MILLER of California, for the balance of the time.

Mr. GARY G. MILLER of California. I want to thank you for including my language on reform in the manager's amendment. This I believe goes a long way to create innovation in helping people gain self-sufficiency.

The main reason I want to speak today is because many on my side have a real problem with the requirement that language be translated into a language that anybody who might come to a HUD assistance program might require to speak, and your bill goes a long way.

I have consistently supported every effort to repeal President Clinton's executive order which requires any recipient of Federal funds to provide translations into any language an individual requesting service may speak; but recently, HUD has issued a requirement that says that any housing authority or PHA must provide this translation to individuals who come before them.

This is the Federal Government creating a mandate and requiring the private sector to pay the bill. And what you are doing I wholeheartedly support. You are saying that if the Federal Government wants to require a mandate, then they should pay the bill. It has been estimated that one of these translations can cost a section 8 individual or group or housing authority up to $10,000 for each language they want to translate the documents into, and what you are doing is absolutely correct. If we are not going to change the law, then let's not have an unfunded mandate placed on the private sector that the private sector has to pay for when HUD and the Federal Government wants to mandate it. And what you are saying is: HUD, if you want to mandate it, you pick up the bill. And I think that is very important that we do this, and I want to stand up saying I wholeheartedly support it.

I do not support the mandate, period, that Clinton imposed, but we are stuck with it. It is an executive order. And what you are saying is the private sector should not be suffering the burden of an unfunded mandate if the Federal Government wants to mandate it.

So I want to clarify for my side that what we are doing here is saying we are relieving an unfunded mandate on the private sector and placing the burden on the Federal Government, who should be responsible. And if we want to change the law, let's change the law. But until we change the law, the private sector should not suffer the burden of financing something the Federal Government is imposing on them.

I wholeheartedly support the manager's amendment, and I thank you for working with me on rent reform and other things.

Mr. FRANK of Massachusetts. Madam Chairman, will the gentleman yield?

Mr. GARY G. MILLER of California. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. The gentleman has given a very clear statement of what is in here. This bill does not create the bilingual mandate; it puts it where it should be.

The other thing I would say is this, and I understand there are some who oppose it on principle. But from the court's standpoint, having HUD do the translation of all these documents means that they don't have to be done individually. So it also is cheaper for HUD to do. It is not just that it is more appropriate for the Federal Government to do it, but it is cheaper, because there will be some basic HUD documents so this will avoid the unnecessary duplication of translations. And I thank the gentleman for that very clear way he stated it.

Mr. GARY G. MILLER of California. Reclaiming my time, I think you are right. It is cheaper for us to pay for shipping than it is for them to pay for translations. Let's do it one time, ship the documents, and we deal with the problem, unless we want to change the law.

Mr. FRANK of Massachusetts. The gentleman and I are of a similar generation. It is my understanding from some of my younger staffers that they don't ship documents these days; they have other ways of getting them there. I couldn't send one, myself, and my friend couldn't receive it. But, fortunately, it wouldn't be up to us.

Mr. GARY G. MILLER of California. Reclaiming my time, we dinosaurs have to speak in the language we are accustomed to.

And with that, this dinosaur yields back the balance of his time.

The Acting CHAIRMAN. The gentlewoman from California has 30 seconds remaining.

Ms. WATERS. Madam Chairman, I ask for support for the manager's amendment to H.R. 1851 and passage of the bill. Again, I want to thank each of my colleagues who worked on this important amendment for their strong support.

I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. WATERS), as modified.

The amendment, as modified, was agreed to.

AMENDMENT NO. 2 OFFERED BY MS. VELÁZQUEZ

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110–227.

Ms. VELÁZQUEZ. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Ms. VELÁZQUEZ:

Page 80, line 5, after ''8(o)(7)'' insert ''and section 8(o)(20)''.

Page 81, after line 10, insert the following:

''(N) Sections 8(ee) and 6(u) (relating to records, certification and confidentiality regarding domestic violence).''.

Page 81, line 11, strike ''(N)'' and insert ''(O)''.

Page 81, line 13, strike ''(O)'' and insert ''(P)''.

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The Acting CHAIRMAN. Pursuant to House Resolution 534, the gentlewoman from New York (Ms. VELÁZQUEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. VELÁZQUEZ. Madam Chairman, I yield myself as much time as I may consume.

Madam Chairman, let me first commend Chairman FRANK and Chairwoman WATERS for their leadership in moving this necessary reform forward. They led the Financial Services Committee through a healthy but complicated series of issues and produced a bill that truly improves the section 8 program.

Section 8 is the Nation's largest low-income housing program. It currently enables more than 2 million low-income families to fulfill the basic needs of shelter. We should strive to help more people find safe and decent housing. That is why this bill includes 100,000 new vouchers over the next 5 years. It is critical that we support this bipartisan work that transitions people out of poverty.

Keeping people safe is at the heart of my amendment, which may seem minor, but provides important eviction and privacy protection for victims of domestic violence who live in section 8 housing. Let us not allow domestic violence victims to fall through the cracks.

It does this by ensuring that residents are not evicted simply because they are victims of domestic violence. While it is hard to believe, under current law, if a resident is visited by a former spouse, a stalker or domestic abuser, and he breaks down the door, the very noise and property damage caused by the dispute could be grounds for her to be evicted. Being abused should not be cause for terminating a lease. My amendment changes that by protecting section 8 tenants from wrongful eviction.

It is fundamentally wrong to evict a resident because they have been victimized. The individuals and their families deserve our respect and understanding. This provision ensures that domestic violence victims have a safe home for them and their families.

Second, my amendment protects the record of domestic violence victims. If certain identifying characteristics are made public, even to a prospective landlord, abusers could use the information to locate their victims. This goes beyond just name and Social Security number. The key is making sure that their information is protected so that victims move forward without the fear of being found. Their safety must be first and foremost. Let's give section 8 tenants basic protections to ensure they can find and keep a safe home away from violence.

Madam Chairwoman, I support the improvements to the section 8 program that H.R. 1851 makes and want to thank Chairman FRANK and Chairwoman WATERS again for their diligence on this bill. I think it is important that we remember that finding a home entails feeling safe, not just securing shelter.

In 2005, we fought in unison to protect domestic violence victims through VAWA; 415 Members of the 109th Congress supported these provisions back then. Today I am asking you to close a potential loophole for section 8 housing residents who are victims of domestic violence. I urge a ''yes'' vote on my amendment and the underlying bill.

Madam Chairman, I reserve the balance of my time.

Mrs. BIGGERT. I ask unanimous consent to claim the time in opposition to the amendment, although I am not opposed to the amendment.

The Acting CHAIRMAN. Without objection, the gentlewoman from Illinois is recognized for 5 minutes.

There was no objection.

Mrs. BIGGERT. Thank you, Madam Chair.

The Violence Against Women Act reauthorized and signed into law by President Bush in 2005 ensured that victims of domestic violence would not be evicted from public or section 8 housing for screaming for help, for calling the police or simply for being the victim of a crime. However, one provision of H.R. 1851 inadvertently removes these protections from certain public housing authorities, leaving victims in these housing authorities with inconsistent or no protection.

I think that the Housing Innovation Program provisions in SEVRA exempt high-performing public housing authorities from certain Federal regulations, giving them a measure of regulatory reform. Unfortunately, some of the VAWA protections were among those that would no longer apply to these high-performing housing authorities. This would create confusion for public housing authorities and leave victims vulnerable to eviction after an assault.

I support the amendment, and appreciate this being added to the bill.

I yield back the balance of my time.

Ms. VELÁZQUEZ. I thank the gentlelady for supporting my amendment.

I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ).

The amendment was agreed to.

Mr. FRANK of Massachusetts. Madam Chair, I ask unanimous consent that I be substituted for the gentlewoman from California as the manager for the remainder of the bill.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AMENDMENT NO. 3 OFFERED BY MR. GARY G. MILLER OF CALIFORNIA

The Acting CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110–227.

Mr. GARY G. MILLER of California. Madam Chair, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. GARY G. MILLER of California:

Page 28, after line 11, insert the following new section:

SEC. 6. TIME LIMITATION ON ASSISTANCE.

Section 16 of the United States Housing Act of 1937 (42 U.S.C. 1437n), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

''(g) TIME LIMITATION ON SECTION 8 ASSISTANCE.—

''(1) IN GENERAL.—Except as provided in this subsection and notwithstanding any other provision of this Act, assistance under section 8 may not be provided on behalf of any family that includes a member who has previously been provided such assistance for 84 months (whether or not consecutive) or longer.

''(2) EXCEPTION FOR ELDERLY AND DISABLED FAMILIES.—In determining the number of months for which an individual has been provided assistance under section 8, for purposes of paragraph (1), a public housing agency shall disregard any month during which such individual was a member of a disabled or elderly family so assisted.

''(3) AUTHORITY FOR HARDSHIP EXEMPTIONS.—A public housing agency may exempt a family from the application of paragraph (1) by reason of hardship, subject to the following requirements:

''(A) The agency shall define the reasons for, and terms under which, a hardship exemption may be granted, which may include mental illness and disability that is not sufficient to qualify the individual for benefits under the program of supplemental security income benefits under title XVI of the Social Security Act.

''(B) The agency shall establish a plan to provide appropriate case management planning and services for the families for which such an exemption is granted.

''(4) LIMITATION ON EXEMPTIONS.—Subject to paragraph (5), the average monthly number of families with respect to which an exemption is made under paragraph (3) by a public housing agency shall not exceed 20 percent of the average monthly number of families on behalf of whom assistance is provided under section 8 during the fiscal year or the immediately preceding fiscal year (but not both), as the agency may elect.

''(5) REQUEST FOR ADDITIONAL EXEMPTIONS.—Upon the request of a public housing agency, the Secretary may increase the number of families with respect to which an exemption may be made under paragraph (3) by the agency above the limitation provided in paragraph (4).

''(6) APPLICABILITY.—In determining the number of months for which an individual has been provided assistance under section 8, for purposes of paragraph (1), a public housing agency shall disregard any month that commenced before the date of the enactment

of the Section 8 Voucher Reform Act of 2007.''.

The Acting CHAIRMAN. Pursuant to House Resolution 534, the gentleman from California (Mr. GARY G. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARY G. MILLER of California. Madam Chair, I rise today to offer an amendment with my colleague from Ohio (Mr. CHABOT) to limit the amount of time a section 8 recipient may receive housing assistance.

I believe this amendment offers a reasonable approach to a very difficult issue. The intent of this amendment is not to be harsh or uncaring. If you read the amendment, you will see that we provide exemptions for the elderly, for the disabled and for hardship.

This amendment is an attempt to inject fairness into this program, where we are faced with the fiscal reality that we do not have the resources to provide unlimited housing assistance to all those who want to participate in the program.

This amendment will help those who have been waiting a long time for their turn for the helping hand.

When we started working on section 8 reform legislation a couple of years ago, I asked my staff to review all the casework inquiries we had received from constituents about the section 8 program. This review revealed that section 8 recipients weren't contacting me to help them with problems with their housing or HUD regulations; the constituents who had contacted my office were complaining about the fact that they had been on the section 8 waiting list for years and were just as in need as those who are receiving assistance currently.

According to HUD, the average length of time families spend on the waiting list for subsidized housing in the United States is more than 2 years. In cities like Los Angeles, the waiting list is approaching 10 years.

How can we justify a situation where one person is given unlimited Federal housing assistance, while another who might have greater need is on the waiting list and unable to participate in the program for almost 10 years?

The answer is not to allow this program to continue to grow out of control by providing more vouchers. Rather, we must reform the program so that participants can transition into self-sufficiency within a reasonable period of time.

The answer is to institute a reasonable time limit for assistance, which would give more families the ability to benefit from our Nation's temporary helping hand.

The amendment I offer today is based on the successful reform we made to the welfare program in 1996. Under the amendment, the maximum amount of time during which a family may receive section 8 assistance is 7 years. Time limits would not apply to elderly or disabled families.

In addition, there is a hardship exemption for families who need extra time due to circumstances beyond their control.

While some might argue that we should increase the number of section 8 vouchers that are available so we can serve all those who are on the waiting list, the practical reality is that we cannot already sustain the growth in the current section 8 program. Our aim should be not to expand the program more but instead reform it to allow it to provide assistance to more people.

Even with the section 8 program growing out of control, it is not helping all the people that it could. This amendment is one way to ensure that our Federal limited resources may be used to help all those who need help.

I reserve the balance of my time.

Mr. FRANK of Massachusetts. Madam Chair, I rise to claim the time in opposition. And unlike my distinguished friend, the gentlewoman from Illinois, I'm really in opposition.

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. FRANK of Massachusetts. I yield myself 3 minutes.

First, Madam Chair, in the interest of conciliation that has marked this debate, I would say to my friend from California, I would be willing to accept this amendment that puts a time limit on people being able to stay in section 8 if we could work out a time limit on their being poor. I think it is entirely accurate that when you're no longer poor, you should no longer be able to live in section 8. But what if we can't?

I can understand people who think that there are adults who have not been very responsible in their life choices, but some of the adults come with children. The gentleman exempts the disabled and the elderly, but his amendment does not exempt families with small children. So you have a parent with children.

Mr. GARY G. MILLER of California. Will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from California.

Mr. GARY G. MILLER of California. The intent of this amendment is to allow for hardship cases like that. A single mother who has young children would be a hardship.

Mr. FRANK of Massachusetts. Would the gentleman point that out to me in the amendment?

Mr. GARY G. MILLER of California. We tried to allow the Housing Authority——

Mr. FRANK of Massachusetts. No. They have a certain number. They can make certain exemptions up to 20 percent.

Mr. GARY G. MILLER of California. On page 2, hardship exemption, number 3. It allows the housing authority to create exemptions for families in a hardship. And that would be one of the exemptions.

Mr. FRANK of Massachusetts. Yes, not exceeding more than 20 percent of the families. It doesn't single out children. Well, maybe there will be 30 or 40 percent, because in my experience, it may differ, you say make an exception for a hardship. That's not the exception for people in section 8; it's the rule. There aren't a lot of rich people living in section 8 or middle income people.

The fact is that under the gentleman's amendment, if adopted, there will be single parents with children of 7 or 8 or 10 years old, several of them, and at the end of 5 years, they'll have to move. Those kids didn't do anything to anybody.

And you know what we've learned from education and from homelessness, 7 years, the gentleman tells me. He does give them 7 years. It's very biblical. But they'll still have to move after 7 years.

Churning poor people isn't useful. Making people move isn't useful. We've adopted some rules here. The gentleman knows we agreed with him that we should not charge them for more rent if they're making more money. We don't want to have a disincentive. We've done other things to improve it.

But here's a fundamental point. People in section 8 housing are there because they meet strict income criteria. Under the gentleman's amendment, someone who continues to be poor, who continues to meet the income criteria, who has lived up to every rule, who has small children, who has tried diligently to get a better job, but in many parts of this country, by the way, we're talking about working people. There are many people who can work full-time at twice the minimum wage and not be able to afford rental housing in his district or in parts of my district or in other districts, the gentlewoman from California's district. And they'd be evicted. They'd be evicted from housing that they were eligible for, for no reason other than the clock.

I reserve the balance of my time.

Mr. GARY G. MILLER of California. I yield the balance of time to the gentleman from Ohio (Mr. CHABOT).

The Acting CHAIRMAN. The gentleman from Ohio is recognized for 2½ minutes.

Mr. CHABOT. I thank the gentleman for yielding.

I would just note that I don't think we are doing those kids living in section 8 housing any favors by encouraging a life or a lifestyle of living in section 8 housing. I think we're doing them a great disservice.

And I want to thank the gentleman from California for his efforts to bring more accountability and responsibility to the section 8 program, a program that, let's face it, is in need of fundamental reform.

Madam Chair, this is a very straightforward and commonsense amendment, and again, I want to commend the gentleman for offering it. It would simply place a time limit, one that I believe is generous, on able-bodied individuals currently receiving housing assistance through the section 8 program.

Under current law, there are no time limits. Those on section 8 can remain on section 8 for as long as they qualify.

Is that fair to the taxpayers? No. Is it fair to the section 8 recipients who become trapped in a life of dependency or to their children? I don't think so. Is it fair that the current lack of time limits prevent those on the waiting list, who may have fallen on hard times and are genuinely looking for a temporary helping hand, from receiving help? I don't think so.

Madam Chair, I would submit that the current lack of time limits isn't fair to anyone.

We've seen the positive effects that time limits and work requirements can have on social programs. We need look no further back in history than the 1996 Temporary Assistance For Needy Families, or the welfare reform law, that reformed the old welfare system, a system that had trapped so many into a life of dependency and poverty. And the old welfare system bears a remarkable resemblance to the section 8 program. And I think that's just unacceptable.

We can do better in this country than section 8 housing and condemning both adults and children to the conditions that they have to live in, in my community in Cincinnati or communities all over the country. Section 8 housing is not the type of lifestyle that I think we want to condemn those people living in them or their children to.

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And I don't think the taxpayers ought to be required to pay for this subsidized housing forever in some cases.

Mr. GARY G. MILLER of California. Madam Chairman, will the gentleman yield?

Mr. CHABOT. I would be happy to yield to the gentleman from California.

Mr. GARY G. MILLER of California. I think, Mr. FRANK, you know my heart, and you and I have worked on a lot of stuff. I think Mr. CHABOT and I would be willing to accept a 50-percent exemption for single mothers with multiple children who have a hardship, who are unable to move in the sector. So we are willing to cooperate. We are not trying to throw mothers with children out of the home.

The Acting CHAIRMAN. The gentleman's time has expired.

Mr. FRANK of Massachusetts. Madam Chairman, I would say to my friend from California, work on that in a future amendment and we will look at it.

But I want to address the gentleman from Ohio. He says he wants to help these people and save them. Boy, would they be in trouble if somebody came to hurt them. He is going to help them by evicting them when they remain economically eligible. And he says it is encouraging dependence.

In fact, in many parts of this country, you can be making two and three times the minimum wage and not be able to afford decent rental housing, and that is who gets the section 8.

And then he says that section 8 housing is so terrible that we have to keep people from having to live there. But does the gentleman think that there are people who say, ''You know what? I can live in a nice place or I can live in a lousy place. I think I'll choose a lousy place until the gentleman from Ohio comes along and rescues me from it''?

People live in the best place available to them, and throwing them out of the place they now live in when they have done nothing wrong because you don't think it is good enough for them when there is no alternative that is as good is hardly helping them.

The section 8 program is one that serves many people who work. It is a sliding scale of subsidy, and to say that it encourages dependency totally misunderstands the program. Many of these people are people who are working and they work at low-wage jobs in areas with high rent. How are you encouraging dependency by telling them and their children that after 7 years they go out? What kind of an incentive is that?

So, Madam Chairman, this amendment takes people who have already been in some economic difficulty and makes their lives harder. I hope that it is rejected.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. GARY G. MILLER).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. GARY G. MILLER of California. Madam Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. MARKEY

The Acting CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 110–227.

Mr. MARKEY. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. MARKEY:

Page 64, line 20, before ''Subparagraph'' insert ''(a) TREATMENT OF UNIT AND FAMILY SIZE.—''.

Page 65, after line 2, insert the following:

(b) ELIGIBILITY OF CERTAIN PROJECTS.—Notwithstanding any other provision of law—

(1) the property known as The Heritage Apartments (FHA No. 023-44804), in Malden, Massachusetts, shall be considered eligible low-income housing for purposes of the eligibility of residents of the property for enhanced voucher assistance under section 8(t) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)), pursuant to paragraph (2)(A) of section 223(f) of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4113(f)(2)(A));

(2) such residents shall receive enhanced rental housing vouchers upon the prepayment of the mortgage loan for the property under section 236 of the National Housing Act (12 U.S.C. 1715z–1); and

(3) the Secretary shall approve such prepayment and subsequent transfer of the property without any further condition, except that the property shall be restricted for occupancy, until the original maturity date of the prepaid mortgage loan, only by families with incomes not exceeding 80 percent of the adjusted median income for the area in which the property is located, as published by the Secretary.

Amounts for the enhanced vouchers pursuant to this subsection shall be provided under amounts appropriated for tenant-based rental assistance otherwise authorized under section 8(t) of the United States Housing Act of 1937.

Page 107, after line 2, insert the following new section:

SEC. 18. TRANSFER OF CERTAIN RENTAL ASSISTANCE CONTRACTS.

(a) TRANSFER.—Subject to subsection (c) and notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall, at the request of the owner, transfer or authorize the transfer, of the contracts, restrictions, and debt described in subsection (b)—

(1) on the housing that is owned or managed by Community Properties of Ohio Management Services LLC or an affiliate of Ohio Capital Corporation for Housing and located in Franklin County, Ohio, to other properties located in Franklin County, Ohio; and

(2) on the housing that is owned or managed by The Model Group, Inc., and located in Hamilton County, Ohio, to other properties located in Hamilton County, Ohio.

(b) CONTRACTS, RESTRICTIONS, AND DEBT COVERED.—The contracts, restrictions, and debt described in this subsection are as follows:

(1) All or a portion of a project-based rental assistance housing assistance payments contract under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(2) Existing Federal use restrictions, including without limitation use agreements, regulatory agreements, and accommodation agreements.

(3) Any subordinate debt held by the Secretary or assigned and any mortgages securing such debt, all related loan and security documentation and obligations, and reserve and escrow balances.

(c) RETENTION OF SAME NUMBER OF UNITS AND AMOUNT OF ASSISTANCE.—Any transfer pursuant to subsection (a) shall result in—

(1) a total number of dwelling units (including units retained by the owners and units transferred) covered by assistance described in subsection (b)(1) after the transfer remaining the same as such number assisted before the transfer, with such increases or decreases in unit sizes as may be contained in a plan approved by a local planning or development commission or department; and

(2) no reduction in the total amount of the housing assistance payments under contracts described in subsection (b)(1).

(d) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act.

The Acting CHAIRMAN. Pursuant to House Resolution 534, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MARKEY. Madam Chairman, I rise with an amendment that I am making in conjunction with the gentlewoman from Ohio (Ms. PRYCE). Our

language seeks to make some technical corrections to ensure that affordable housing is preserved in three housing developments, two located in Ohio and one in Massachusetts.

The low-income tenants of the Heritage Apartments in Malden, Massachusetts, are facing possible displacement once an outstanding HUD mortgage is fully paid in a few years. The development is also in need of major renovations and upgrades that simply cannot be delayed. Unfortunately, HUD is failing to ensure that the development remains affordable and livable by placing burdensome regulations and restrictions on prepayment of the outstanding mortgage and subsequent transfer to a new owner who is willing to finance the renovations. My amendment would allow income-eligible residents to qualify for enhanced housing vouchers following the prepayment of the HUD mortgage and the property transfer and directs HUD to approve such actions.

I will defer to the gentlewoman from Ohio (Ms. PRYCE) to explain the portion of our amendment which deals with maintaining affordability in housing developments located in her congressional district in Ohio.

The Congressional Budget Office has determined that adoption of this language would result in $1 million in net savings to current mandatory spending over the next 5 years because HUD is currently paying mortgage interest reduction payments for the development which would be nullified upon adoption of the Markey-Pryce amendment.

The amendment is supported by the chairman of the committee and the ranking member. It is also supported by the Institute of Real Estate Management, National Apartment Association, and the National Association of Home Builders. And I urge adoption of the amendment.

Mr. FRANK of Massachusetts. Madam Chairman, will the gentleman yield?

Mr. MARKEY. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Madam Chairman, I thank my friend and colleague for yielding.

And I want to say, as I said to the gentleman from California (Mr. CAMPBELL), people are saying why are you making this exception. We are making this exception because we think this ought to be the rule. And we are dealing with this now because we have time problems in this area and in the area of the gentlewoman from Ohio. But it is our intention to pass legislation before the end of the year, I think on a bipartisan basis, that will make this a rule for the whole country. So this is not singling out any one area except for the fact that we face time restraints, as the gentleman from California did and the gentleman from Ohio did.

So I want to thank my friend for bringing this forward. And I want to make it clear this is the first step of what we believe will be a general policy of preserving affordable housing.

Mr. MARKEY. Madam Chairman, I reserve the balance of my time.

Mrs. BIGGERT. Madam Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I am not opposed to the amendment.

The Acting CHAIRMAN. Without objection, the gentlewoman from Illinois is recognized for 5 minutes.

There was no objection.

Mrs. BIGGERT. Madam Chairman, the gentlewoman from Ohio is unable to get here in the length of time needed, so I would just say that we support the amendment.

Ms. PRYCE of Ohio. Madam Speaker, I rise today in support of the Markey/Pryce amendment to H.R. 1851.

This amendment includes important language, which I authored, to permit the transfer of project-based Section 8 rent assistance from concentrated, blight-ridden areas in Columbus and Cincinnati, Ohio to less precarious, rehabilitated living conditions. The affected neighborhoods all have high poverty rates, a high number of assisted housing units, high crime rates, and dilapidated buildings.

This transfer would have no additional cost to the Federal Government. The language preserves the exact same number of assisted units and the same dollar amount of Federal assistance.

The benefits to the community and to the tenants are immeasurable. Though struggling, each of these neighborhoods has seen an increasing amount of public and private scrutiny and investment. Low income and other residents alike would share in the benefits of a safer, more stable, and more thriving neighborhood. This proposal would allow the community to find more productive and beneficial uses for the properties.

This proposal has widespread support from both communities. Tenants, community advocates, government officials, and private developers alike—all support the neighborhoods' improvement.

Madam Speaker, I would not be here today if for the past 6 years in Columbus the community had not explored other possible solutions with the Department of Housing and Urban Development, tenants, advocates, the City of Columbus, the Ohio State University officials, contractors, and other key stakeholders, but statutory restrictions constantly impeded progress.

We find ourselves here, not as a first resort, but as a last.

I would like to thank Chairman FRANK and Ranking Member BACHUS for their support, and my colleague from Massachusetts for working with me to enact this important fix into law.

I thank my colleagues for consideration of this amendment and urge your support.

Mr. BIGGERT. Madam Chairman, I yield back the balance of my time.

Mr. MARKEY. Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. CHABOT

The Acting CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 110–227.

Mr. CHABOT. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. CHABOT:

Page 107, strike lines 3 through 9.

The Acting CHAIRMAN. Pursuant to House Resolution 534, the gentleman from Ohio (Mr. CHABOT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. CHABOT. Madam Chairman, I yield myself such time as I may consume.

This is one of three amendments that I am offering this evening, two of the three with a couple of my colleagues, one Mr. MILLER from California and Mr. HENSARLING from Texas, that would encourage fundamental reforms in the section 8 program.

When we committed ourselves to welfare reform, it was the understanding that the program should no longer be a taxpayer-funded handout but should instead offer people a way out of poverty, helping them obtain job and education skills that are needed to become ultimately self-sufficient. Ending welfare's cycle of dependency has cut the welfare rolls in half, promoted individual responsibility, and saved billions of tax dollars in the process. Sadly, current housing programs closely resemble the failed welfare policies of the past. Like the old welfare programs, the section 8 housing program, unfortunately, discourages work and allows people to stay, in fact, encourages them to stay on the program, oftentimes indefinitely. It is also too often mismanaged by local governments or local housing authorities.

Unfortunately, this bill does not address those issues but instead expands the program to 100,000 new section 8 vouchers at the cost of approximately 2.4 billion taxpayer dollars over the next 5 years. That is 100,000, approximately, more recipients that get a chunk of the rent that is ultimately going to be picked up by their fellow taxpayers and ultimately, in my view, doesn't do the people that become dependent upon this good in the long term. That is 100,000 more recipients who don't have to work to stay in the program, and that is 100,000 recipients that are being supported by the American taxpayers for as long as they like since section 8 now imposes no time limits on the beneficiaries.

I represent most of the city of Cincinnati and its western suburbs and a few townships in Butler County, Ohio. Too many neighborhoods in my district have had to witness crime, despair, and hopelessness that are inherent in a government program that asks virtually nothing of its recipients, that encourages dependency rather than responsibility and waste, unfortunately, rather than work. Whether it is the

funding provided by the Federal Government or mismanagement of the program by local governments and agencies, section 8 has failed those who use it and those who pay for it: the American taxpayers.

My amendment is straightforward. It would simply stop throwing good money after bad and seeks to prevent more Americans from falling victim to a life of dependency on the government. My amendment would simply prohibit the dollars this bill authorizes from being spent on the 100,000 new vouchers that this legislation would create.

It is also important to point out that the dependency that section 8 has created is so great that there are long waiting lists to get vouchers. Why? Because many of those who gain access to the program ultimately don't leave. They don't really have an incentive to. The average stay is about 7 years.

Madam Chairman, if we simply put time limits and meaningful work requirements in the program, as the amendments that I have offered with Mr. MILLER and Mr. HENSARLING would do, there wouldn't be a need to create more vouchers because people would be moving through the system, moving toward independence and a better life, and that nondependence on the government is what every American should want.

Madam Chairman, I reserve the balance of my time.

Mr. AL GREEN of Texas. Madam Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. AL GREEN of Texas. Madam Chairman, allow me to first thank the chairperson of the Financial Services Committee, Chairperson Frank. He has done an outstanding job with his leadership. I also thank the Honorable MAXINE WATERS, the subcommittee chairperson, for her sound stewardship; and, of course, Ranking Member BACHUS for his bipartisanship because it helped to synthesize this piece of legislation. And I also thank the cosponsorship of Congresswoman BIGGERT. She has been cogent with her cosponsorship.

Madam Chairman, let me simply say that this is bipartisan legislation that we are talking about and the striking of the 100,000 vouchers over 5 years will put an end to what started as bipartisan legislation in the committee. This was passed overwhelmingly in the committee, and it was supported by the ranking member of the committee.

This is not, as was indicated, a handout. It is really a hand up for the disabled. It is a hand up for the elderly. And it also benefits low-income to extremely low-income persons, many of whom are working and still not in a position to afford affordable housing. Many of them need the kind of help that this bill is providing.

The truth is, and you shall know the truth, and it will set you free. So at this moment, I am going to take the ax of truth, slam it into the tree of circumstance, and let the chips fall wherever they may. The truth is one in seven households in this country spends more than 50 percent of their income on housing. Three-quarters of a million people are homeless on any given night in this country. Congress has not provided new section 8 vouchers since 2002. The truth is we can pay for one of these vouchers with 2 seconds of what we spend on the war in Iraq. We can pay for all of these vouchers with what we spend on 2½ days in Iraq. The truth is the need exists for these vouchers. The truth is it is time for Congress to act and to authorize these new section 8 vouchers.

Madam Chairman, at this time I would like to yield 1 minute to my outstanding colleague Congressman CHRIS MURPHY.

Mr. MURPHY of Connecticut. Madam Chairman, I thank my friend for his great work on this issue.

I think it is important to address the concept presented by our friends on the other side of the aisle that the folks who are the recipients of these vouchers are victims. Well, they might be victims, but they are victims of an economy which says to far too many people out in this world that if you play by the rules, if you do everything we ask of you, if you go out and get a job, a full-time regular job, that you are still going to be living in poverty, that you are still going to need a little help to be able to survive in this world.

□ 2045

In a high-cost-of-living State and a high-cost-of-housing State like Connecticut, 5,000 vouchers does not do it for the working poor there. We have people in our neck of the woods that are paying 60, 70, 80 percent of their income, hard-earned income on rent.

We are a part of the world that desperately needs more section 8 housing vouchers to help the working poor, the people who are doing everything this society asks them to do. But because we live in an economy where wages are stagnant and the cost of living continues to rise, a program like this is a very valuable and needed helping hand.

Mr. AL GREEN of Texas. Madam Chair, may I inquire as to how much time is remaining?

The Acting CHAIRMAN. The gentleman from Texas has 1½ minutes remaining; the gentleman from Ohio also has 1½ minutes remaining.

Mr. AL GREEN of Texas. Madam Chairman, I reserve the balance of my time.

Mr. CHABOT. Madam Chairman, I reserve the balance of my time.

Mr. AL GREEN of Texas. Madam Chair, I believe I would retain the right to speak last and continue to reserve.

PARLIAMENTARY INQUIRY

Mr. FRANK of Massachusetts. Madam Chairman, I have a parliamentary inquiry.

The Acting CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. FRANK of Massachusetts. The gentleman is a member of the committee defending the committee's product. I believe he has the right to close; is that correct?

The Acting CHAIRMAN. The gentleman is correct. The gentleman from Texas has the right to close.

Mr. CHABOT. That being the case, Madam Chair, I give myself such time as I have remaining.

The Acting CHAIRMAN. The gentleman is recognized for 1½ minutes.

Mr. CHABOT. Madam Chair, I would just like to reiterate the fact that I don't think we're doing either the children or the people that have become dependent on section 8 housing any favors by allowing, number one, the area that we covered in the last amendment, people to remain on section 8 housing indefinitely. I think that the time limit that's been proposed in the previous amendment is certainly a step in the right direction. The amendment that we have following this goes to a work requirement, which I think is also very reasonable in a program such as this.

I think encouraging people to remain dependent upon the government in the conditions that oftentimes we see in section 8 housing is doing no favor for those families, and that's why I think this is an appropriate amendment, and I urge my colleagues to support it.

Madam Chair, I yield back the balance of my time.

The Acting CHAIRMAN. The gentleman from Texas is recognized for 1½ minutes.

Mr. AL GREEN of Texas. Madam Chair, it is beyond my comprehension to conclude that because people are working and in need of housing assistance, they should be evicted from the very assistance they are paying for because they don't make enough money to move to a better home.

I'm doing this not only for the people of my district, but I'm also doing this for the people in my colleague's district as well, because he has a deficit of 13,177 rental units for persons who are in need of this type of affordable housing.

This is not housing for those who don't need it and who are not qualified. The elderly need it. The persons who are with low-income and very low-income need it, and those who are disabled. And for edification purposes, when we talk about persons with extremely low income, we are talking about persons who make at or below 30 percent of the area median income. And many of these persons are using 50 percent of what they earn on housing.

So, Madam Chair, I am appreciative of what the gentleman has offered, but I'm going to ask persons to please vote against this amendment and vote for the disabled, vote for the elderly, vote so that persons with low income and extremely low income can have affordable housing.

Madam Chair, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. CHABOT).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. CHABOT. Madam Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. HENSARLING

The Acting CHAIRMAN. It is now in order to consider amendment No. 6 printed in House Report 110–227.

Mr. HENSARLING. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. HENSARLING:

Page 107, after line 9, insert the following new section:

SEC. 19. WORK REQUIREMENT FOR THOSE RECEIVING ASSISTANCE FOR 7 YEARS OR MORE.

Section 16 of the United States Housing Act of 1937 (42 U.S.C. 1437n), as amended by the preceding provisions of this Act, is further amendment by adding at the end the following new subsection:

''(g) WORK REQUIREMENT FOR ASSISTED FAMILIES RECEIVING SECTION 8 ASSISTANCE FOR 7 YEARS OR MORE.—

''(1) IN GENERAL.—Except as provided in this subsection and notwithstanding any other provision of this Act, assistance under section 8 may not be provided on behalf of any family who has previously been provided such assistance for 84 consecutive months or more, unless each member of the family who is 18 years of age or older performs not fewer than 20 hours of approved work activities (as such term is defined in section 407(d) of the Social Security Act (42 U.S.C. 607(d))).

''(2) EXEMPTION.—The Secretary of Housing and Urban Development shall provide an exemption from the applicability of paragraph (1) for any individual family member who—

''(A) is 62 years of age or older;

''(B) is a blind or disabled individual, as defined under section 216(i)(1) or 1614 of the Social Security Act (42 U.S.C. 416(i)(1); 1382c), and who is unable to comply with this section, or is a primary caretaker of such individual;

''(C) is engaged in a work activity (as such term is defined in section 407(d) of the Social Security Act (42 U.S.C. 607(d)), as in effect on and after July 1, 1997));

''(D) meets the requirements for being exempted from having to engage in a work activity under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) or under any other welfare program of the State in which the public housing agency administering rental assistance described in subsection (a) is located, including a State-administered welfare-to-work program;

''(E) is in a family receiving assistance under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) or under any other welfare program of the State in which the public housing agency administering such rental assistance is located, including a State-administered welfare-to-work program, and has not been found by the State or other administering entity to be in noncompliance with such program; or

''(F) is a single custodial parent caring for a child who has not attained 6 years of age, and the individual proves that the individual has a demonstrated inability (as determined by the State) to obtain needed child care, for one or more of the following reasons:

''(i) Unavailability of appropriate child care within a reasonable distance from the individual's home or work site.

''(ii) Unavailability or unsuitability of informal child care by a relative or under other arrangements.

''(iii) Unavailability of appropriate and affordable formal child care arrangements.

''(3) ADMINISTRATION.—A public housing agency providing rental assistance described in paragraph (1) may administer the work activities requirement under this subsection directly, through a resident organization, or through a contractor having experience in administering work activities programs within the service area of the public housing agency. The Secretary may establish qualifications for such organizations and contractors.

''(4) PROSPECTIVE APPLICABILITY.—In determining the number of months for which an assisted family has been provided assistance under section 8, for purposes of paragraph (1), a public housing agency shall disregard any month that commenced before the date of the enactment of the Section 8 Voucher Reform Act of 2007.''.

Page 39, line 18, strike ''and''.

Page 39, after line 18, insert the following:

''(v) include an amount for the costs of administering the work activities requirement under section 16(g); and''.

Page 39, line 19, strike ''(v)'' and insert ''(vi)''.

The Acting CHAIRMAN. Pursuant to House Resolution 534, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Madam Chairman, I yield myself such time as I may consume.

I rise today to offer an amendment with my good friend, the gentleman from Ohio (Mr. CHABOT), who just offered the previous amendment, and I certainly associate myself with his efforts on the previous amendment.

This amendment represents what many of us consider to be a very, very important principle, and that fundamental important principle is if you're an able-bodied adult under the age of 62 receiving means-tested Federal assistance, you ought to be on the road to self-sufficiency. That's what this amendment is all about, and that's what the principle is. This, we believe, will further encourage people to make the transition from dependency upon section 8 rental assistance to self-sufficiency. Not only is that important to them, it's important to the taxpayer who we're asking to pick up the tab. And this is, I believe, over a $2 billion bill.

Now, specifically, our amendment would require people receiving section 8 rental assistance for 7 consecutive years to perform a certain amount of work-related activities, which includes work, looking for work, job training, education and a host of other activities that are reflected in the TANF statute, which we mirror. There are a number of exemptions. It exempts those under age 18, over the age of 62, blind, disabled, those already working, already exempt under TANF, single parents of children under six who are unable to find appropriate child care.

Over 10 years ago, the Nation embarked on a bold new experiment with TANF, and we said that Federal assistance should be temporary and based on work and self-sufficiency and responsibility and personal dignity. That is a principle. Now many naysayers then said that it was mean. They said it was unworkable. Some even implied it was racist. Well, they were wrong then, and they are wrong now. Under TANF, the number of families receiving cash welfare steadily declined from a peak of 5.1 million families in March of 1994 to 1.9 million families. Child poverty has fallen dramatically. The employment of young single mothers has doubled, and the employment of mothers who have never been married is up by more than 50 percent.

Now, the lessons are clear. But we didn't finish the job 10 years ago, and we should finish it. Again, this is a vote on a very simple principle. If you're an able-bodied adult receiving means-tested Federal assistance, should you be on the road to self-sufficiency? I believe the answer is yes.

Madam Chair, I reserve the balance of my time.

Mr. SCOTT of Georgia. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SCOTT of Georgia. We have just heard the gentleman from Texas lay out a scenario that is ripe full of holes. This amendment is drastic. It is costly. It is inefficient. It affects all families and individuals currently using a voucher or living in section 8 project-based housing. It's impossible to administer. Even HUD and the administration itself has not even requested it. It imposes a new unfunded mandate on private sector landlords owning Federally assisted housing, forcing them to assume the role of a welfare agency.

The gentleman talks about a boom on the taxpayers. This imposes a significant cost to taxpayers by raising the costs incurred by public housing.

And I have in my hands a letter from just about every housing and real estate and housing association in this country saying, in effect, that we are not able to support the Hensarling amendment.

Most exemplary of the ridiculousness of this amendment is that he asks for 20 hours of work, but doesn't say how, doesn't say when. Twenty hours when? Twenty hours a week? Twenty hours a month? Twenty hours a year? There is no way to administer it.

But Madam Chair, what is so hurtful to me about this amendment; yes, it is mean-spirited. But not only is it mean-spirited, my friend, it is, indeed, bigoted. It is, yes, a bigoted amendment. Let me tell you why. It reflects a very

stereotypical negative view of certain economic racial groups of poor people, poor families, because it singles them out for an ill-defined work requirement that does not apply to other families and individuals receiving Federal assistance.

This amendment needs to be dealt with for what it really is, and quite honestly, it is an insult to the Congress of the United States. And I submit it is even beneath the dignity of the Congress of the United States to even entertain this amendment.

Madam Chair, I yield 1½ minutes to the gentleman from Missouri (Mr. CLEAVER), and I reserve the balance of my time to close.

Mr. CLEAVER. Madam Chair, I would ask to enter into a colloquy with the gentleman from Texas regarding his amendment on this bill. As probably the only person who lived in section 8, I may not be opposed to it; I would just like to get some questions, if I might.

If the gentleman would please help me on this. Are you proposing to amend section 8 or TANF?

Mr. HENSARLING. Section 8, if the gentleman will yield.

Mr. CLEAVER. Thank you. Because all of the information that your staff sent out contains information about TANF, and you just spoke quite extensively about TANF.

Mr. HENSARLING. Will the gentleman yield for an explanation?

Mr. CLEAVER. I can't yield because I don't have enough time. But most everything you've said was TANF.

The other two questions that I will ask very quickly is, if a person lives in public housing or section 8, does it mean that they're on welfare?

Mr. HENSARLING. I'm sorry. Would the gentleman repeat the question?

Mr. CLEAVER. If you are living in public housing or section 8, does it also mean that you are on welfare? And if so, which law will HUD enforce, the TANF regulation or the amended section 8 regulation which you propose?

Mr. HENSARLING. If the gentleman will yield?

Mr. SCOTT of Georgia. I will yield to the gentleman to respond.

Mr. HENSARLING. I thank the gentleman from Georgia.

This particular amendment mirrors the TANF statute, and so there may be confusion there.

The Acting CHAIRMAN. The gentleman from Missouri's time has expired.

Mr. CLEAVER. Madam Chair, my questions weren't answered, but thank you.

Mr. SCOTT of Georgia. May I inquire as to the balance of my time?

The Acting CHAIRMAN. The gentleman from Georgia controls 1 minute.

Mr. SCOTT of Georgia. I reserve the right to close, if the gentleman from Texas has more to offer.

Mr. HENSARLING. Madam Chair, may I inquire how much time is left on my side?

The Acting CHAIRMAN. The gentleman controls 2 additional minutes.

Mr. HENSARLING. In that case, Madam Chair, I would like to yield 1½ minutes to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. I thank the gentleman for yielding. And I thank the gentleman from Texas for his efforts to bring more accountability to the section 8 program. It's much needed and long overdue.

As welfare reform has shown us, the section 8 program should not become a way of life. It should be a helping hand, a way out of poverty. Ending the welfare cycle of dependency that has trapped so many has cut the welfare rolls in half, promoted individual responsibility and saved billions of tax dollars in the process.

One of the primary engines that continues to drive the civic welfare reform is the requirement that those in the program must work, and that's all that this amendment does. To be clear, the Hensarling-Chabot amendment would simply require all able-bodied individuals who have received section 8 for more than 7 consecutive years to work. I don't see anything at all mean-spirited about that. I certainly don't see anything bigoted about that to say that if somebody is receiving tax dollars, they ought to be required to work, to do something in consideration for the tax dollars that are being paid to help that person live while they need that assistance.

So the amendment, again, as the gentleman indicates, exempts those that are under 18 years of age, that are over 62 or blind or disabled, and those already exempt under TANF, and single parents of children under six. The amendment benefits the taxpayer and those in the section 8 program.

I would urge my colleagues to vote for this amendment. It requires work, and I think that's a good thing.

The Acting CHAIRMAN. The gentleman from Texas still controls a half minute.

Mr. HENSARLING. I yield myself the balance of the time.

Again, I thank the gentleman from Ohio for coming down to support this important amendment.

I continue to fail to see what is mean-spirited about asking people, after 7 years, who get means-tested assistance, to be on the road to self-sufficiency, something good for them, something good for the taxpayer.

I must admit, I really regret, Madam Chairman, that the gentleman from Georgia chose to characterize this as ''bigoted.'' Perhaps I could have taken his words down. I sense when you run out of anything else to say, you characterize someone else's motivations and you use the term ''bigoted.'' And that, I regret.

□ 2100

Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The gentleman from Georgia is recognized for 1 minute.

Mr. SCOTT of Georgia. Let me explain, if I may, Madam Chair, in closing. This is very personal to me. I've grown up in this country. I understand messages and I understand this message. This is a message that is targeted to a group of people, no matter how small they may be, who believe that certain people are categorized as wanting a handout, or that they are lazy, or that they don't want to work. So then the cry comes, before we can give them any help, make them work. Make them get a job.

Madam Chairman, that is what this is about. In my humble opinion, 20 hours of work, not even defined, whether it is a day, whether it is a month, whether it is a week, no requirements in it, is an unfunded mandate.

On top of that, Madam Chairman, there are already included in this bill a number of provisions to encourage work, to encourage self-sufficiency, including reduced work disincentives.

So in closing, may I say, Madam Chairman, please vote against the gentleman's amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. HENSARLING. Madam Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 3 by Mr. GARY G. MILLER of California.

Amendment No. 5 by Mr. CHABOT of Ohio.

Amendment No. 6 by Mr. HENSARLING of Texas.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 3 OFFERED BY MR. GARY G. MILLER OF CALIFORNIA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GARY G. MILLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 151, noes 267, not voting 18, as follows:

[Roll No. 625]

AYES—151

Aderholt
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Davis (KY)
Davis, David
Deal (GA)
Dent
Doolittle
Drake
Dreier
Duncan
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kingston
Kirk
Kline (MN)
Knollenberg
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
McCarthy (CA)
McCaul (TX)
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Patrick
Musgrave
Myrick
Neugebauer
Nunes
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Poe
Price (GA)
Pryce (OH)
Putnam
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Schwartz
Sensenbrenner
Sessions
Shadegg
Shuster
Simpson
Smith (NE)
Smith (TX)
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Walberg
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (FL)

NOES—267

Abercrombie
Ackerman
Akin
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Camp (MI)
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fortuño
Fossella
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Klein (FL)
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Perlmutter
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Renzi
Reyes
Rodriguez
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—18

Berkley
Conyers
Cubin
Culberson
Davis, Jo Ann
Faleomavaega
Hastert
Higgins
Jindal
McCrery
Miller, George
Paul
Radanovich
Shimkus
Slaughter
Stearns
Tancredo
Young (AK)

□ 2127

Messrs. WATT of North Carolina, MEEK of Florida, CAMP of Michigan, ENGLISH of Pennsylvania, ROGERS of Michigan, HOYER, KUHL of New York and Mrs. MILLER of Michigan changed their vote from ''aye'' to ''no.''

Mrs. BONO changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. CHABOT

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. CHABOT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 144, noes 277, not voting 15, as follows:

[Roll No. 626]

AYES—144

Aderholt
Akin
Bachmann
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Dent
Doolittle
Drake
Dreier
Duncan
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kirk
Kline (MN)
Knollenberg
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Murphy, Patrick
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Poe
Price (GA)
Pryce (OH)
Putnam
Regula
Rehberg
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Schwartz
Sensenbrenner
Sessions
Shadegg
Shuster
Smith (NE)
Smith (TX)
Sullivan
Thornberry
Tiahrt
Tiberi
Upton
Walberg
Wamp
Weldon (FL)
Weller
Westmoreland
Wicker
Wilson (SC)
Wolf
Young (FL)

NOES—277

Abercrombie
Ackerman
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Bean
Becerra
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Burgess
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fortuño
Fossella
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick

Kind
King (NY)
Klein (FL)
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Whitfield
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—15

Berkley
Burton (IN)
Conyers
Cubin
Davis, Jo Ann
Faleomavaega
Hastert
Jindal
McCrery
Paul
Radanovich
Slaughter
Stearns
Tancredo
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 2135

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. HENSARLING

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. HENSARLING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 197, noes 222, not voting 17, as follows:

[Roll No. 627]

AYES—197

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
McNerney
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Ramstad
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Schwartz
Sensenbrenner
Sessions
Shadegg
Shays
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Sullivan
Tanner
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (FL)

NOES—222

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNulty
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Pomeroy
Price (NC)
Rahall
Rangel
Regula
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Sires
Skelton
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (NM)
Wilson (OH)
Woolsey
Wynn
Yarmuth

NOT VOTING—17

Berkley
Conyers
Cubin
Davis, Jo Ann
Faleomavaega
Hastert
Jindal
McCrery
Paul
Pryce (OH)
Radanovich
Rohrabacher
Slaughter
Stearns
Tancredo
Wu
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised they have 2 minutes remaining to record their votes.

□ 2142

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. STEARNS. Mr. Chairman, on rollcall Nos. 625, 626, and 627 I was unavoidably detained. Had I been present, I would have voted "aye."

The Acting CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MCNULTY) having assumed the chair, Ms. BALDWIN, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1851) to reform the housing choice voucher program under

section 8 of the United States Housing Act of 1937, pursuant to House Resolution 534, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MRS. CAPITO

Mrs. CAPITO. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mrs. CAPITO. I am, Mr. Speaker, in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. Capito moves to recommit the bill H.R. 1851 to the Committee on Financial Services with instructions that the Committee report the same back forthwith with the following amendment:

Page 107, after line 9, insert the following new section:

SEC. 19. ACCEPTABLE IDENTIFICATION REQUIREMENT.

(a) IN GENERAL.—Rental housing assistance under section 8(o) of the United States Housing Act of 1937 may not be provided on behalf of any individual or household unless the individual provides, or, in the case of a household, all adult members of the household provide, valid personal identification in one of the following forms:

(1) SOCIAL SECURITY CARD WITH PHOTO IDENTIFICATION CARD OR REAL ID ACT IDENTIFICATION.—

(A) A social security card accompanied by a photo identification card issued by the Federal Government or a State Government; or

(B) A driver's license or identification card issued by a State in the case of a State that is in compliance with title II of the REAL ID Act of 2005 (title II of division B of Public Law 109–13; 49 U.S.C. 30301 note).

(2) PASSPORT.—A passport issued by the United States or a foreign government.

(3) USCIS PHOTO IDENTIFICATION CARD.—A photo identification card issued by the Secretary of Homeland Security (acting through the Director of the United States Citizenship and Immigration Services).

(b) REGULATIONS.—The Secretary of Housing and Urban Development shall, by regulation, require that each public housing agency or other entity administering rental housing assistance described in subsection (a) take such actions as the Secretary considers necessary to ensure compliance with the requirements of subsection (a).

The SPEAKER pro tempore. The gentlewoman from West Virginia is recognized for 5 minutes.

Mrs. CAPITO. Mr. Speaker, the intent of this motion to recommit is clear.

Upon adoption of this motion to recommit, we will go right to the adoption of the bill in its entirety to include the important language that ensures illegal immigrants are not benefitting from rental assistance provided by the section 8 program that is funded by the dollars of hard-working Americans.

The section 8 program has provided much needed rental assistance to low-income families who spend a high percentage of their income on housing costs since its creation in the 1970s. Today, there are approximately 2 million vouchers administered by the more than 2,500 public housing authorities in this country. The success of this program is now dominating HUD's budget, but we are looking for clear reform to ensure the viability of this program.

This motion to recommit helps strengthen the section 8 program by ensuring that illegal immigrants cannot receive assistance from this program. This measure will simply require all occupants of a housing unit, supported by section 8, to establish proof of their legal residency through the use of secure forms of identification.

There are four options here: driver's license or REAL ID card; a foreign or U.S. passport; a citizens and immigration services photo ID card; or a Social Security card in conjunction with the State or Federal photo ID. Without this addition to this bill, illegal immigrants could utilize current loopholes to secure section 8 housing benefits.

We absolutely cannot reward this illegal behavior with incentives for illegal immigrants to remain in the country in blatant violation of the law. By providing housing, we are simply encouraging the continuation of their illegal presence in our Nation. This is a form of back-door amnesty.

There have been many stories across the country highlighting examples of benefits being granted to illegal immigrants. I believe, in 2006, in Denver, Colorado alone, there were an estimated 20,000 illegal immigrants holding FHA ensured loans. Each of these cases provides further incentives for illegal immigrants to remain in our Nation violating the law.

Our Nation's immigration system is clearly broken. We must take this opportunity to strengthen a successful Federal program to ensure this benefit is only provided to legal residents.

The American people work too hard for their tax dollars to have them spent on illegal immigrants. I urge a ''yes'' vote on this motion to recommit.

Mr. Speaker, I yield back the balance of my time.

Mr. FRANK of Massachusetts. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, this bill has two parts.

One part is to reiterate what is already the law. It is already the law that only people who are in the country legally may benefit from this. The second part is how to enforce it, and what it does is to continue an unfortunate tendency that goes counter to everything we have tried to do about privacy, of making the Social Security card a universal identifier, and there are real dangers in that.

Members who have been concerned with privacy know that an unreasonable and unrestricted use of the Social Security card is a problem. Indeed, we have talked about legislation, bipartisan, to restrict the requirement that you give your Social Security number. But here is what this bill says. It does not change the law. It's already illegal for people who are not here legally to get these benefits.

The gentleman mentioned 26,000 FHA loans in Colorado, zero section 8s. I haven't heard the evidence. I would be glad to listen to it. I will invite people, if there is evidence that this is a problem with section 8, let's listen to it. But here's what you impose on the housing authorities. There is now a requirement that people show that they are here legally. But now in this legislation, if it's adopted, would narrow that.

So here is what you would have to take to get someone who wanted to get into section 8:

They could show you their passport. The number of really poor people carrying passports is less than you might imagine. Although, I don't know what they might imagine, so I take that back.

Or a USCIS photo identification card. Well, if you are a citizen born in the United States, you don't have one.

Or a driver's license. You may not have a driver's license.

So if you are an 82 year-old who doesn't travel a lot to foreign countries and you are an American citizen, what are you going to show them? Your Social Security card. What this does is put more legal emphasis behind that.

I would say to Members, Members can vote as they wish. But the next time people complain to you about privacy problems and about Social Security numbers floating around being misused, if you voted for this, say, yes, I helped, because that's what this does.

The only thing this adds to American law is a requirement that most people trying to get section 8s will have to show their Social Security card, because a lot of them won't have driver's licenses, and they won't have passports. If they are American citizens, they won't have that card. The most common form of identification required will be the Social Security card.

I have been working, the people in the Energy and Commerce Committee, the people in the Ways and Means Committee, we have all been working to restrict the idea that the Social Security card is an ID card. I thought that was fairly generally accepted, that we don't want the Social Security card to be the ID card.

What's the Federal Government saying here? Because, yes, you can say,

well, who wants to steal the identification of a poor person? You know, being up against a section 8, no big deal. But once the Federal Government, the minority has been consistently arguing, once we have stated the Social Security card is the most universally accepted, the Social Security card is considered to be the best form of identification, then what's the argument against every business in America doing it? How do you stop this from becoming that universal identifier?

Members can cover themselves by voting for something that's already in the law. It's time to cover yourself anyway; it's kind of late.

But understand what Members will be doing. They will be furthering the practice of using the Social Security card as an identifier. They will be weakening our efforts to undercut.

Members may be unhappy to understand the implications of what they are doing. But I do not think it is wise for this House to continue a pattern of saying that the Social Security card will not just be a means of checking for Social Security but will become the universal identifier, that people will have to show it. Because if we, the Federal Government, say you have to show it, then how do you tell the hotel that they can't say it? How do you tell anybody else that they can't require the production of Social Security cards?

The logical consequence of this will be a serious impediment to our efforts to protect privacy and to deal with identity theft. The unrestricted use of the Social Security card is a serious problem there, and this makes it worse.

The SPEAKER pro tempore. The gentleman's time has expired.

Without objection, the previous question is ordered on motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mrs. CAPITO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 233, noes 186, not voting 12, as follows:

[Roll No. 628]

AYES—233

Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Carter
Castle
Chabot
Chandler
Coble
Cole (OK)
Conaway
Cramer
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
Dent
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Hall (NY)
Hall (TX)
Harman
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Hobson
Hodes
Hoekstra
Holden
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Kanjorski
Keller
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moore (KS)
Moran (KS)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Ross
Royce
Ryan (WI)
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stearns
Sullivan
Tanner
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Young (FL)

NOES—186

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Becerra
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boucher
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Clarke
Clay
Cleaver
Clyburn
Cohen
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hare
Hastings (FL)
Higgins
Hinchey
Hinojosa
Hirono
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McNulty
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ros-Lehtinen
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Sutton
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—12

Berkley
Conyers
Cubin
Davis, Jo Ann
Hastert
Jindal
McCrery
Paul
Radanovich
Slaughter
Tancredo
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that less than 2 minutes remain in the vote.

□ 2212

Mr. UDALL of Colorado, Mr. WILSON of Ohio, Mr. LINCOLN DAVIS of Tennessee, Mr. HOLDEN, and Mr. MOORE of Kansas changed their vote from ''no'' to ''aye.''

So the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

Mr. FRANK of Massachusetts. Mr. Speaker, pursuant to the instructions of the House on the motion to recommit, I report H.R. 1851 back to the House with an amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment:

Page 107, after line 9, insert the following new section:

SEC. 19. ACCEPTABLE IDENTIFICATION REQUIREMENT.

(a) IN GENERAL.—Rental housing assistance under section 8(o) of the United States Housing Act of 1937 may not be provided on behalf of any individual or household unless the individual provides, or, in the case of a household, all adult members of the household provide, valid personal identification in one of the following forms:

(1) SOCIAL SECURITY CARD WITH PHOTO IDENTIFICATION CARD OR REAL ID ACT IDENTIFICATION.—

(A) A social security card accompanied by a photo identification card issued by the Federal Government or a State Government; or

(B) A driver's license or identification card issued by a State in the case of a State that is in compliance with title II of the REAL ID Act of 2005 (title II of division B of Public Law 109–13; 49 U.S.C. 30301 note).

(2) PASSPORT.—A passport issued by the United States or a foreign government.

(3) USCIS PHOTO IDENTIFICATION CARD.—A photo identification card issued by the Secretary of Homeland Security (acting through the Director of the United States Citizenship and Immigration Services).

(b) REGULATIONS.—The Secretary of Housing and Urban Development shall, by regulation, require that each public housing agency or other entity administering rental housing assistance described in subsection (a) take such actions as the Secretary considers necessary to ensure compliance with the requirements of subsection (a).

Mr. FRANK of Massachusetts (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FRANK of Massachusetts. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 333, nays 83, not voting 15, as follows:

[Roll No. 629]

YEAS—333

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Camp (MI)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hayes
Heller
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hoyer
Hulshof
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Tim
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NAYS—83

Akin
Barrett (SC)
Bartlett (MD)
Blackburn
Blunt
Boehner
Bono
Brady (TX)
Burton (IN)
Buyer
Calvert
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Conaway
Culberson
Davis, David
Deal (GA)
Doolittle
Dreier
Duncan
Feeney
Flake
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Graves
Hastings (WA)
Hensarling
Herger
Hoekstra
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Lamborn
Lewis (CA)
Linder
Mack
Manzullo
McHenry
McKeon
Mica
Miller (FL)
Murphy, Patrick
Musgrave
Neugebauer
Pence
Petri
Pitts
Poe
Price (GA)
Putnam
Rohrabacher
Royce
Ryan (WI)
Sali
Schwartz
Sensenbrenner
Sessions
Shadegg
Stearns
Sullivan
Thornberry
Walberg
Wamp
Weldon (FL)
Westmoreland
Wicker
Wilson (SC)

NOT VOTING—15

Berkley
Conyers
Cubin
Davis, Jo Ann
Hastert
Hooley
Jindal
McCrery
Paul
Radanovich
Sánchez, Linda T.
Shuster
Slaughter
Tancredo
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining to vote on passage of the bill.

□ 2221

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1851, SECTION 8 VOUCHER REFORM ACT OF 2007

Mr. FRANK of Massachusetts. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 1851, to include corrections in spelling, punctuation, section numbering and cross-referencing, and the insertion of headings.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. BLUNT asked and was given permission to address the House for 1 minute.)

Mr. BLUNT. Mr. Speaker, I yield to my friend from Maryland, the majority leader, for the purpose of inquiring about next week's schedule.

Mr. HOYER. I thank my friend.

I first would announce, notwithstanding the requests of almost every Member in the House and over their vigorous objection, we're not going to be meeting tomorrow. You know that.

But we will come back on Monday, and the House will meet at 12:30 for morning hour business, 2 p.m. for legislative business, with votes rolled until 6:30 p.m.

On Tuesday, the House will meet at 9 a.m. for morning hour business and 10 a.m. for legislative business. On Wednesday and Thursday, the House will meet at 10 a.m.

In addition to several bills under suspension of the rules, a list of those bills will be, as is the practice, announced by the close of business tomorrow, we expect to complete consideration of the fiscal year 2008 Energy and Water Development appropriations bill and the fiscal year 2008 Labor, HHS and Education appropriations bill. Again, to the great disappointment of the Members, there will be no votes on Friday.