

111TH CONGRESS
1ST SESSION

H. R. 3026

To amend the United States Public Housing Act of 1937 to establish a predisaster mitigation program to benefit public and assisted housing residents, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2009

Mr. THOMPSON of Mississippi introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the United States Public Housing Act of 1937 to establish a predisaster mitigation program to benefit public and assisted housing residents, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hazard Mitigation For
5 All Act of 2009”.

1 **SEC. 2. IN GENERAL.**

2 Title I of the United States Housing Act of 1937 (42
3 U.S.C. 1437 et seq.) is amended by adding at the end
4 the following:

5 **“SEC. 37. HAZARD MITIGATION FOR ALL GRANT PROGRAM.**

6 “(a) **PURPOSES.**—The purpose of this section is to
7 provide grant assistance to public housing agencies for ac-
8 tivities to—

9 “(1) protect the lives of residents of public and
10 assisted housing by mitigating in advance against
11 natural disasters; and

12 “(2) improve the resilience of resident-inhabited
13 residential structures to withstand storms and other
14 natural disasters, through restoration, reconstruc-
15 tion, replacement, or retrofit initiatives in advance of
16 such storms and disasters.

17 “(b) **GRANT AUTHORITY.**—To the extent amounts for
18 grants under this section for a fiscal year are made avail-
19 able in advance in appropriations Acts, the Secretary shall
20 make grants under this section to public housing agencies
21 that have submitted applications for such grants which
22 have been selected pursuant to subsection (h).

23 “(c) **ELIGIBLE PUBLIC HOUSING AGENCIES.**—A
24 grant under this section may be provided only to a public
25 housing agency that—

1 “(1) administers one or more public housing
2 projects;

3 “(2) provides project-based housing assistance
4 under section 8 of the United States Housing Act of
5 1937 (42 U.S.C. 1437f) for any rental housing
6 project;

7 “(3) administers a program for tenant-based
8 rental housing assistance under section 8 of the
9 United States Housing Act of 1937 (42 U.S.C.
10 1437f); or

11 “(4) administers a program for tenant-based
12 rental housing assistance for the elderly, persons
13 with disabilities, or the homeless.

14 “(d) ELIGIBLE ACTIVITIES.—Grants under this sec-
15 tion may be used only for predisaster activities for hazard
16 mitigation that benefit residents of the assisted housing
17 of the public housing agency that is the grantee, which
18 shall include the following:

19 “(1) Improving the strength of roof deck at-
20 tachments.

21 “(2) Creating a secondary water barrier to pre-
22 vent water intrusion.

23 “(3) Installing coverings to reduce leakage in
24 the event hurricane-force winds remove roof shin-
25 gles.

1 “(4) Improving the survivability of the roof cov-
2 ering.

3 “(5) Bracing gable-ends in roof framing.

4 “(6) Reinforcing roof-to-wall connections.

5 “(7) Upgrading exterior wall openings with pro-
6 tections to resist hurricane-force winds.

7 “(8) Replacing storm shutters, exterior doors,
8 windows, and garage doors.

9 “(9) Adding anchor bolts or steel plates be-
10 tween the property and the foundation.

11 “(10) Bracing the inside of any short wood-stud
12 wall between the top of the foundation wall and the
13 first floor (known as a cripple wall) with sheathing
14 for added protection against an earthquake.

15 “(11) Any other activities as the Secretary may
16 determine that improve the storm resilience of as-
17 sisted housing through restoration, reconstruction,
18 replacement, or retrofit.

19 “(e) MATCHING REQUIREMENT.—

20 “(1) IN GENERAL.—Except as provided in para-
21 graph (3), each public housing agency that receives
22 a grant under this section shall provide, from
23 sources other than a grant under this section, an
24 amount equal to not less than 25 percent of the

1 total funds necessary to complete an activity funded
2 under this section.

3 “(2) SUPPLEMENTAL FUNDS.—For purposes of
4 paragraph (1), funds from other Federal sources,
5 funds from any State or local government source,
6 any private contributions, and any in-kind contribu-
7 tions available to comply with this subsection shall
8 be considered funds from sources other than a grant
9 under this section.

10 “(3) ADJUSTMENT.—The Secretary may con-
11 sider the severity and frequency of storms in the
12 area for which the public housing agency has juris-
13 diction in determining the percentage of contribution
14 required under paragraph (1).

15 “(f) REQUIREMENTS.—Amounts from a grant under
16 this section—

17 “(1) shall be used only to provide eligible activi-
18 ties for real property that is assisted housing;

19 “(2) shall be used to provide eligible activities
20 only for residents of assisted housing whose family
21 incomes do not exceed 80 percent of the median in-
22 come for the area;

23 “(3) may be used for eligible activities that re-
24 sult in displacement of assisted residents only if ac-

1 accommodations are provided for such assisted resi-
2 dents during such period of displacement that are—

3 “(A) similar to the existing assisted hous-
4 ing of the resident;

5 “(B) located in a community comparable
6 to the existing housing of the resident; and

7 “(C) a reasonable distance from the exist-
8 ing housing of the resident.

9 “(g) REQUIREMENTS FOR ASSISTANCE TO PRIVATE
10 OWNERS OF ASSISTED HOUSING.—A public housing agen-
11 cy receiving a grant under this section may not provide
12 grant amounts to an owner of assisted housing that is not
13 public housing unless the owner of the assisted housing
14 agrees to make the assisted housing units that are des-
15 ignated at the time of the grant award available for occu-
16 pancy, during the 5-year period beginning upon the initial
17 receipt of any funds from a grant under this section,
18 through an occupancy preference, in accordance with rea-
19 sonable admissions screening criteria developed by the
20 public housing agency, to families who are eligible for
21 rental assistance under section 8.

22 “(h) APPLICATIONS AND SELECTION CRITERIA.—

23 “(1) APPLICATIONS.—The Secretary shall pro-
24 vide for public housing agencies to submit applica-
25 tions for a grant under this section through the Of-

1 fice of Multifamily Housing Programs and shall re-
2 quire, to be eligible for a grant for any fiscal year,
3 that an application be submitted not later than June
4 30 of the fiscal year preceding the fiscal year of
5 grant award. Such Office shall establish such appli-
6 cations in consultation with the Administrator of the
7 Federal Emergency Management Agency.

8 “(2) SELECTION CRITERIA.—The Office of Mul-
9 tifamily Housing Programs shall establish criteria
10 for the selection of applications by public housing
11 agencies for grants under this section, which shall
12 consider the following factors:

13 “(A) The severity and frequency of natural
14 disasters within the area in which eligible activi-
15 ties are to be carried out using grant amounts.

16 “(B) The size and median age of the as-
17 sisted resident population within the jurisdic-
18 tion of the public housing agency applicant.

19 “(C) The capability of the public housing
20 agency applicant to administer the grant funds.

21 “(D) The nature and effectiveness of the
22 eligible activities to be carried out using the
23 grant amounts.

1 “(E) The long-term viability of the hazard
2 mitigation improvements for which the grant
3 amounts will be used.

4 “(F) Whether energy efficient methods
5 (such as energy efficient storm windows) will be
6 used in the hazard mitigation improvements for
7 which grant amounts will be used.

8 “(G) The efforts the public housing agency
9 has made to publicize the importance of hazard
10 mitigation to local owners of assisted housing.

11 “(H) The extent of commitment by the
12 public housing agency to support ongoing non-
13 Federal hazard mitigation measures.

14 “(I) The ability of the public housing agen-
15 cy to maintain eligible activities funded with
16 grant amounts.

17 “(i) ALLOCATION OF FUNDS.—

18 “(1) COMPETITIVE PROGRAM.—Grants from
19 amounts made available under this section shall be
20 awarded on a competitive basis subject to the cri-
21 teria specified in subsection (h)(2) and regulations
22 issued by the Secretary.

23 “(2) MAXIMUM AMOUNT.—Of any amounts
24 made available for any fiscal year for grants under

1 this section, not more than 15 percent may be pro-
2 vided to any single public housing agency.

3 “(j) DEFINITIONS.—For purposes of this section, the
4 following definitions shall apply:

5 “(1) ASSISTED HOUSING.—The term ‘assisted
6 housing’ means, with respect to a public housing
7 agency—

8 “(A) any public housing administered by
9 the agency;

10 “(B) any housing for which project-based
11 rental assistance is provided by the agency; and

12 “(C) any housing occupied by a family for
13 whom the agency provides tenant-based rental
14 assistance and for rental of which such family
15 uses such rental assistance.

16 “(2) ASSISTED RESIDENT.—The term ‘assisted
17 resident’ means—

18 “(A) a resident of public housing;

19 “(B) a resident of assisted housing de-
20 scribed in paragraph (1)(B) who resides in a
21 dwelling unit for which such project-based rent-
22 al assistance is provided; or

23 “(C) a family described in paragraph
24 (1)(C).

1 “(3) ELIGIBLE ACTIVITIES.—The term ‘eligible
2 activities’ means activities that, pursuant to sub-
3 section (d), may be funded with amounts from a
4 grant under this section.

5 “(k) FUNDING.—There is authorized to be appro-
6 priated to carry out this section, \$50,000,000 for each of
7 fiscal years 2010 through 2013, to remain available until
8 expended.

9 “(l) REGULATIONS.—The Secretary shall issue any
10 regulations necessary to carry out this section.”.

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