

111TH CONGRESS  
1ST SESSION

# H. R. 3828

To temporarily suspend the approval or certification of any housing counseling agencies of ACORN or its affiliates and require the Inspector General of the Department of Housing and Urban Development to conduct an audit of any assistance provided by the Department to ACORN and its affiliates, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 15, 2009

Mrs. BIGGERT (for herself, Mr. KIRK, Mr. LEE of New York, Mr. GERLACH, Mr. ROGERS of Michigan, Mr. NEUGEBAUER, Mr. PAUL, Mrs. CAPITO, Mr. MANZULLO, Mr. SESSIONS, Mr. PUTNAM, Mr. McCOTTER, Mr. CULBERSON, Mr. SAM JOHNSON of Texas, Mr. JOHNSON of Illinois, Mr. ROE of Tennessee, Mr. EHLERS, Mr. UPTON, Mr. KING of New York, Mr. JONES, Mr. LAMBORN, Mr. CHAFFETZ, Mr. BACHUS, Mrs. BACHMANN, Mr. BARRETT of South Carolina, and Mr. MCHENRY) introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To temporarily suspend the approval or certification of any housing counseling agencies of ACORN or its affiliates and require the Inspector General of the Department of Housing and Urban Development to conduct an audit of any assistance provided by the Department to ACORN and its affiliates, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Suspend ACORN Cer-  
3 tification Act of 2009”.

4 **SEC. 2. AUDIT AND SUSPENSION OF HOUSING COUNSELING**  
5 **APPROVAL.**

6 (a) **AUDIT.**—Not later than the expiration of the 6-  
7 month period beginning on the date of the enactment of  
8 this Act, the Inspector General of the Department of  
9 Housing and Urban Development shall—

10 (1) with respect to each covered organization,  
11 conduct an audit of all assistance within the jurisdic-  
12 tion of the Department provided to such covered or-  
13 ganization at any time; and

14 (2) make a determination of whether each such  
15 covered organization has used such assistance in ac-  
16 cordance with all laws, regulations, and other terms  
17 and conditions of such assistance and cause notice  
18 of such determination to be published in the Federal  
19 Register.

20 (b) **SUSPENSION OF HOUSING COUNSELING CERTIFI-**  
21 **CATION AND ASSISTANCE.**—After the date of the enact-  
22 ment of this Act—

23 (1) no covered organization shall be considered  
24 approved, certified, or authorized under section  
25 106(e) of the Housing and Urban Development Act  
26 of 1968 (12 U.S.C. 1701x(e)) or otherwise to pro-

1       vide housing counseling in connection with any pro-  
2       gram of the Department or to receive any assistance  
3       within the jurisdiction of the Department for any  
4       housing counseling activities unless and until the In-  
5       spector General of the Department of Housing and  
6       Urban Development has made a determination  
7       under subsection (c) with respect to all such organi-  
8       zations; and

9               (2) the Secretary of Housing and Urban Devel-  
10       opment shall not provide any assistance within the  
11       jurisdiction of the Department for any housing coun-  
12       seling activities to a covered organization unless and  
13       until the Inspector General has made a determina-  
14       tion under subsection (c) with respect to all such or-  
15       ganizations.

16       (c) DETERMINATION.—A determination under this  
17       subsection is a determination, pursuant to the audit con-  
18       ducted under subsection (a), that all covered organizations  
19       that, at any time, have received assistance within the juris-  
20       diction of the Department have used all such assistance  
21       received in accordance with all laws, regulations, and other  
22       terms and conditions of such assistance.

23       **SEC. 3. DEFINITIONS.**

24       For purposes of this Act, the following definitions  
25       shall apply:

1 (1) COVERED ORGANIZATION.—The term “cov-  
2 ered organization” means—

3 (A) the Association of Community Organi-  
4 zations for Reform Now (in this section re-  
5 ferred to as ACORN); and

6 (B) any ACORN-related affiliate.

7 (2) ACORN-RELATED AFFILIATE.—The term  
8 “ACORN-related affiliate” means any of the fol-  
9 lowing:

10 (A) Any State chapter of ACORN reg-  
11 istered with the Secretary of State’s office in  
12 that State.

13 (B) Any organization that shares directors  
14 or employees with ACORN.

15 (C) Any organization that has a financial  
16 stake, directly or indirectly, in ACORN.

17 (D) Any organization whose finances,  
18 whether federally funded, donor-funded, or  
19 raised through organizational goods and serv-  
20 ices, are shared or controlled, directly or indi-  
21 rectly, by ACORN.

22 (3) ASSISTANCE WITHIN THE JURISDICTION OF  
23 THE DEPARTMENT.—The term “assistance within  
24 the jurisdiction of the Department” has the meaning  
25 given such term in section 102(m) of the Depart-

1        ment of Housing and Urban Development Reform  
2        Act of 1989 (42 U.S.C. 3545(m)).

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