

PROVIDING FOR 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

JULY 11, 2007.—Referred to the House Calendar and ordered to be printed

Ms. CASTOR, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 534]

The Committee on Rules, having had under consideration House Resolution 534, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 1851, the Section 8 Voucher Reform Act of 2007, under a structured rule. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services. The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute except for clause 10 of rule XXI.

The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The further amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. All points of order against the amendments except for clauses 9 and 10 of rule XXI are waived. The rule provides one motion to recommit with or without instructions. The rule provides that, notwithstanding the oper-

ation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

EXPLANATION OF WAIVERS

Although the rule waives all points of order against consideration of the bill (except for clauses 9 and 10 of rule XXI) and against the amendment in the nature of a substitute (except for clause 10 of rule XXI), the Committee is not aware of any points of order against consideration of the bill or against the amendment in the nature of a substitute. The waivers of all points of order are prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 238

Date: July 11, 2007.

Measure: H.R. 1851.

Motion by: Mr. Sessions.

Summary of motion: To grant an open rule.

Results: Defeated 3–8.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee record vote No. 239

Date: July 11, 2007.

Measure: H.R. 1851.

Motion by: Mr. Sessions.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Culberson (TX), #3, which states that under the Housing Innovation Program, residents, the local community, and elected officials must be notified by a PHA not later than 30 days before the first of the two public meetings.

Results: Defeated 3–8.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee record vote No. 240

Date: July 11, 2007.

Measure: H.R. 1851.

Motion by: Mr. Sessions.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Price, Tom (GA)/Capito (WV)/Brown-Waite (FL)/Campbell (CA), #4, which requires that, in order for an individual or household to receive Section 8 voucher assistance, the individual, or all adult members of the household, must provide secure identification to the PHA.

Results: Defeated 3–8.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee record vote No. 241

Date: July 11, 2007.

Measure: H.R. 1851.

Motion by: Mr. Sessions.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Wicker (MS), #1, which would allow Mississippi Public Housing Authorities to comply with the United States Housing Act of 1937 without violating the conflict of interest clause of the Mississippi State Constitution, which prevents individuals from sitting on a board of directors from which such decisions of the board could directly benefit the individual. To comply with the intent of the housing law, a separate advisory board will be created with a minimum of 6 tenants to offer advice and comment to the public housing agency.

Results: Defeated 3–8

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee record vote No. 242

Date: July 11, 2007.

Measure: H.R. 1851.

Motion by: Mr. Hastings (WA).

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Chabot (OH), #12, which would prohibit any family that includes an individual convicted of a felony under State or Federal law from receiving assistance in the Section 8 program.

Results: Defeated 3–9.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee record vote No. 243

Date: July 11, 2007.

Measure: H.R. 1851.

Motion by: Mr. Dreier.

Summary of motion: To make in order en bloc and provide appropriate waivers for an amendment by Rep. Price, Tom (GA), #5, which requires that spending in this legislation be offset by reductions in spending elsewhere; and an amendment by Price, Tom (GA), #19, which clarifies that the rental history data that Section 9 of H.R. 1851 allows to be submitted to a credit bureau will be treated the same as any other data submitted to them.

Results: Defeated 3–9.

Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Sutton—Nay; Dreier—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

SUMMARY OF AMENDMENTS MADE IN ORDER UNDER THE RULE

1. Waters (CA): Manager's Amendment. The amendment includes increased rent structure flexibility while maintaining affordability

requirements, an increase up to 12.5% in first year permitted housing agency voucher reserves, provisions spelling out HUD responsibilities with respect to access to HUD programs for persons with Limited English Proficiency, modifications to voucher inspection requirements, and changes to the Housing Innovation Program. (10 minutes)

2. Velázquez (NY): The amendment requires that public housing agencies selected for participation in the Housing Innovation Program must comply with voucher and public housing domestic violence provisions from the Violence Against Women Act. (10 minutes)

3. Miller, Gary (CA)/Chabot (OH): The amendment will impose a 7-year time limit on participation in the Section 8 program. The amendment excludes the elderly and disabled from this requirement. In addition, the amendment provides for a hardship exception. (10 minutes)

4. Markey (MA)/Pryce (OH): The first part of the amendment would make certain low-income tenants of the Heritage Apartments in Malden, Massachusetts eligible for enhanced housing vouchers after prepayment of a HUD mortgage and subsequent ownership transfer of the property without HUD restrictions that may jeopardize the housing affordability. The second part of the amendment would allow for the transfer of Section 8 Housing Assistance Payment (HAP) contracts in Columbus, Ohio in the University District and in Cincinnati, Ohio in the Over-the-Rhine Community. (10 minutes)

5. Chabot (OH): The amendment would strike the authorization of appropriations for the creation of 20,000 new vouchers each year for years FY 2008 through FY 2012. (10 minutes)

6. Hensarling (TX)/Chabot (OH): The amendment requires that all adults in a household receiving Section 8 tenant assistance for more than 7 consecutive years must perform 20 hours per week of approved “work activities.” Exemptions are provided for senior citizens, the disabled, those already exempt from TANF work requirements, and those who cannot access child care. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER UNDER THE RULE

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WATERS OF CALIFORNIA, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

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.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE VELÁZQUEZ OF NEW YORK, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

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)”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GARY MILLER OF CALIFORNIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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.”.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MARKEY OF MASSACHUSETTS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CHABOT OF OHIO, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 107, strike lines 3 through 9.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HENSARLING OF TEXAS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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 amended 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)”.