

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 5818) TO AUTHORIZE
THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT TO MAKE
LOANS TO STATES TO ACQUIRE FORECLOSED HOUSING AND TO MAKE
GRANTS TO STATES FOR RELATED COSTS

MAY 6, 2008.—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. 1174]

The Committee on Rules, having had under consideration House Resolution 1174, by a record vote of 9–4, 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. 5818, the Neighborhood Stabilization Act of 2008, 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. This waiver does not affect the point of order available under clause 9 of rule XXI (regarding earmark disclosure).

The rule makes in order only those amendments printed in this report. The amendments made in order may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this 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 recom-

mit with or without instructions. The rule further provides that after a motion that the Committee rise has been rejected on a legislative day, the Chair may entertain another such motion on that day only if offered by the chairman of the Committee on Financial Services or the Majority Leader or a designee and provides that after a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII) has been rejected, the Chair may not entertain another such motion during further consideration of the bill. The rule provides that, notwithstanding the operation 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 waives all points of order against the amendment in the nature of a substitute (except clause 10 of rule XXI), the Committee is not aware of any points of order. The waivers of all points of order are prophylactic.

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. 474

Date: May 6, 2008.

Measure: H.R. 5818.

Motion by: Mr. Dreier.

Summary of motion: To grant an open rule.

Results: Defeated 4–8.

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

Rules Committee record vote No. 475

Date: May 6, 2008.

Measure: H.R. 5818.

Motion by: Mr. Dreier.

Summary of motion: To strike section 2 of the rule.

Results: Defeated 4–8.

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

Rules Committee record vote No. 476

Date: May 6, 2008.

Measure: H.R. 5818.

Motion by: Mr. Dreier.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Hensarling (TX), #11, which would require that states provide a dollar-for-dollar match for all funds that they receive under the bill in the form of grants.

Results: Defeated 4–9.

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

Rules Committee record vote No. 477

Date: May 6, 2008.

Measure: H.R. 5818.

Motion by: Mr. Diaz-Balart.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Price, Tom (GA), #5, which requires offsets for all new spending.

Results: Defeated 4–9.

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

Rules Committee record vote No. 478

Date: May 6, 2008.

Measure: H.R. 5818.

Motion by: Mr. Hastings (WA).

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Flake (AZ), #8, which would prohibit loan and grant programs created by this act from being used for congressional earmarks.

Results: Defeated 4–9.

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

Rules Committee record vote No. 479

Date: May 6, 2008.

Measure: H.R. 5818.

Motion by: Mr. Sessions.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Brown-Waite (FL), #16, which prohibits the use of funds for the purchase of property owned by individuals not lawfully present in the United States. It also prohibits any foreclosed housing or dwelling unit purchased with funds under this bill from being used by individuals not lawfully present in the United States. The amendment further clarifies that acceptable forms of identification only include a Social Security card with a photo ID, Real ID Act identification, a US passport, or USCIS photo ID Card.

Results: Defeated 4–9.

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

Rules Committee record vote No. 480

Date: May 6, 2008.

Measure: H.R. 5818.

Motion by: Mr. McGovern.

Summary of motion: To report the rule.

Results: Adopted 9–4.

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

SUMMARY OF AMENDMENTS MADE IN ORDER

(Summaries derived from information provided by sponsors.)

1. Waters (CA)/Frank (MA): The amendment provides for direct allocations to qualified metropolitan cities and qualified urban counties, makes the definition of operating expenses consistent with other HUD programs, and caps purchase price under the loan program at the current appraised value of the foreclosed property. (10 minutes)

2. Capito (WV): The amendment directs the funds to be administered through the Office of Community Planning and Development of the Department of Housing and Urban Development rather than directing the Secretary to create a new program within the Department. (10 minutes)

3. Mahoney (FL): The amendment clarifies that nothing in this Act shall affect the right to bear arms under the Second Amendment to the Constitution of the United States. (10 minutes)

4. Hensarling (TX): The amendment would strike all references in the bill to providing grants to states, but leave the underlying loan program intact. Money from the grant portion of the bill (\$7.5 billion) would be re-directed to the loan portion (for a total of \$15 billion in loans). (10 minutes)

5. Kucinich (OH): The amendment modifies the purposes of the legislation to emphasize the increasing rates of vacant and abandoned properties, and changes the state-to-local jurisdiction funding formula to ensure that up-to-date vacancy statistics are used to allocate the funds. (10 minutes)

6. McCotter (MI): The amendment directs States using federal loans and grants for housing rehabilitation to give priority to veterans, members of the Armed Forces on active duty, members of the National Guard or Armed Forces reserves, school teachers, and emergency responders when reselling the rehabilitated property. (10 minutes)

7. Altmire (PA): The amendment clarifies that illegal immigrants shall be ineligible for financial assistance under the bill. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

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

Page 3, line 10, after “STATES” insert “, **METROPOLITAN CITIES, AND URBAN COUNTIES**”.

Page 3, line 13, after “States” insert “and under subsections (f) and (g) of section 5 to qualified metropolitan cities and qualified urban counties, respectively,”.

Page 3, line 15, after “States” insert “, qualified metropolitan cities, and qualified urban counties”.

Page 3, line 19, after “State” insert “, metropolitan city, or urban county”.

Page 3, line 20, after “State” insert “, metropolitan city, or urban county”.

Strike “A State” in line 23 on page 3 and all that follows through page 4, line 2.

Page 12, line 16, strike “, such State” and insert “the Secretary”.

Page 13, line 4, strike “A State may” and insert “The Secretary shall”.

Page 13, line 23, strike “A State may” and insert “The Secretary shall”.

Page 14, line 4, strike “a State” and insert “the Secretary”.

Page 16, lines 18 and 19, strike “or, upon its election”.

Page 16, line 19, strike “or” and insert “, and a”.

Page 19, line 24, strike “costs of” and insert “expenses incurred operating housing assisted under this Act with respect to the administration, maintenance, repair, security, utilities, fuel, furnishings, equipment,”.

Strike line 23 on page 32 and all that follows through page 33, line 2, and insert the following:

(i) in the case of single family housing, that does not exceed the lesser of—

(I) 110 percent of the average purchase price for single family housing in the area in which the housing is located, as determined by the Secretary; or

(II) the current appraised value of the property; except that in the case of any such housing that has an appraised value that is less than 110 percent of the average purchase price for single family housing in the area in which the housing is located, an allocation recipient may appeal such appraisal to the Secretary and the Secretary may determine that the average purchase price shall operate as the cap on the purchase price; and

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CAPITO OF WEST VIRGINIA, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 3, line 16, after the period insert the following: “The program under this Act shall be administered through the Office of Community Planning and Development of the Department of Housing and Urban Development or any successor office responsible for administering the community development block grant program under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.).”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MAHONEY OF FLORIDA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 36, after line 2, insert the following:

SEC. 15. PROTECTION OF RIGHT TO BEAR ARMS.

Nothing in this Act shall affect the right to bear arms under the Second Amendment to the Constitution of the United States.

Page 36, line 3, strike “15” and insert “16”.

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

Page 2, line 10, strike “and grant”.

Page 3, line 1, strike “and grants”.

Page 3, line 10, strike “**AND GRANTS**”.

Page 3, line 13, strike “make grants under section 5(a) to qualified States and”.

Page 3, lines 18 and 19, strike “make a grant under this Act only to a State, and may”.

Page 4, line 25, strike “grant and”.

Page 5, line 3, strike “grant and”.

Page 5, line 7, strike “grant or”.

Page 6, line 8, strike “grant and”.

Page 6, lines 21 and 22, strike “grant amounts, and for”.

Page 7, line 1, strike “grant or”.

Strike line 22 on page 8 and all that follows through page 9, line

2.

Page 9, line 9, strike “GRANT AMOUNTS AND”.

Page 9, line 11, strike “grant amount or”.

Page 9, lines 12 and 13, strike “foreclosure grant share”.

Page 9, line 13, strike “or”.

Page 9, lines 13 and 14, strike “, respectively,”.

Page 9, line 20, strike “grant amount or”.

Page 9, line 22, strike “foreclosure grant share or”.

Page 9, line 23, strike “, respectively,” and “the grant amount or”.

Page 9, line 25, strike “foreclosure grant share or”.

Page 10, line 1, strike “, respectively,”.

Page 10, line 2, strike “grant amounts or”.

Page 10, line 6, strike “grant amounts or”.

Page 10, line 9, strike “grant amount or”.

Page 10, line 11, strike “grant amount or”.

Page 10, line 13, strike “foreclosure grant share or”.

Page 10, line 14, strike “, respectively”.

Page 10, line 16, strike “grant or”.

Page 10, line 18, strike “or grants”.

Strike line 23 on page 10 and all that follows through page 11, line 10.

Page 12, line 3, strike “grant and”.

Page 12, strike lines 5 through 7.

Page 12, line 14, strike “grant amounts and”.

Page 12, lines 17 and 18, strike “such grant amounts and”.

Page 12, line 19, strike “grant amounts and”.

Page 12, line 20, strike “, respectively,”.

Page 13, line 8, strike “grant amounts and”.

Page 13, lines 11 and 12, strike “grant amounts and”.

Page 13, line 13, strike “grant amounts and”.

Page 13, line 14, strike “, respectively,”.

Page 14, lines 1 and 2, strike “grant and”.
 Page 14, line 5, strike “grant and”.
 Page 14, line 8, strike “grant and”.
 Page 14, line 12, strike “grant amounts and”.
 Page 14, line 17, strike “grant amounts and”.
 Page 17, strike lines 21 through 25.
 Strike line 18 on page 19 and all that follows through page 21,
 line 24.
 Page 22, line 2, strike “grant or”.
 Strike line 12 on page 22 and all that follows through page 24,
 line 4.
 Page 24, line 6, strike “grant or”.
 Page 24, lines 7 and 8, strike “grant and”.
 Page 24, line 23, strike “or grant”.
 Page 24, line 25, strike “or grant”.
 Page 27, line 13, strike “grant or”.
 Page 27, line 19, strike “or grant”.
 Page 28, lines 12 and 13, strike “receives a grant under this Act
 or”.
 Page 28, lines 15 and 16, strike “obligation of such grant
 amounts and”.
 Page 28, line 20, strike “obligate all such grant amounts and”.
 Page 28, lines 24 and 25, strike “outlay all such grant amounts
 and”.
 Page 30, line 3, strike “a grant or” and insert “an”.
 Page 30, line 13, strike “grant or”.
 Page 30, lines 14 and 15, strike “grant or”.
 Page 30, line 19, strike “grant or”.
 Page 35, strike lines 8 through 10.
 Page 35, line 21, strike “\$7,500,000,000” and insert
 “\$15,000,000,000”.

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

Page 2, line 13, strike “purchase and rehabilitate” and insert
 “preserve the equity and ensure the safety of the neighbors of
 homes made vacant by the predatory lending and foreclosure cri-
 ses, to prevent and reduce the incidence of such vacancies through
 various means, including purchasing and rehabilitating”.

Page 3, line 3, before the semicolon insert “; and largest in-
 creases in the rate of vacant and abandoned single family homes”.

Page 4, line 17, strike “foreclosures” and insert “vacancies, ac-
 cording to the number of census tracts, as determined by the Sec-
 retary, to have large increases in the rate of vacancy during the
 past eight quarters and significant levels of loans determined to be
 at risk of foreclosure.”.

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

Page 6, after line 2, insert the following:

(8) notwithstanding any other preferences established or au-
 thorized under this subsection, provide first priority, in use of
 amounts from grants or loans under this Act for rehabilitating

housing, for providing housing for veterans, members of the Armed Forces on active duty, members of the National Guard or Armed Forces reserves, school teachers, and emergency responders;

Page 6, line 3, strike “(8)” and insert “(9)”.

Page 6, line 8, strike “(9)” and insert “(10)”.

Page 6, line 13, strike “(10)” and insert “(11)”.

Page 6, line 21, strike “(11)” and insert “(12)”.

Page 7, line 1, strike “(12)” and insert “(13)”.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ALTMIRE OF PENNSYLVANIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 36, after line 2, insert the following new section:

SEC. 15. INELIGIBILITY OF ILLEGAL ALIENS FOR ASSISTANCE.

Aliens who are not lawfully present in the United States shall be ineligible for financial assistance under this Act, as provided and defined by section 214 of the Housing and Community Development Act of 1980 (42 U.S.C. 1436a). Nothing in this Act shall be construed to alter the restrictions or definitions in such section 214.

Page 36, line 3, strike “**15**” and insert “**16**”.