

109TH CONGRESS
2D SESSION

S. 2707

To amend the United States Housing Act of 1937 to exempt qualified public housing agencies from the requirement of preparing an annual public housing agency plan.

IN THE SENATE OF THE UNITED STATES

MAY 3, 2006

Mr. SUNUNU (for himself and Mrs. DOLE) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To amend the United States Housing Act of 1937 to exempt qualified public housing agencies from the requirement of preparing an annual public housing agency plan.

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 “Small Public Housing
5 Authorities Paperwork Reduction Act”.

1 **SEC. 2. PUBLIC HOUSING AGENCY PLANS FOR CERTAIN**
 2 **QUALIFIED PUBLIC HOUSING AGENCIES.**

3 (a) IN GENERAL.—Section 5A(b) of the United
 4 States Housing Act of 1937 (42 U.S.C. 1437e–1(b)) is
 5 amended by adding at the end the following:

6 “(3) EXEMPTION OF CERTAIN PHAS FROM FIL-
 7 ING REQUIREMENT.—

8 “(A) IN GENERAL.—Notwithstanding para-
 9 graph (1) or any other provision of this Act—

10 “(i) the requirement under paragraph
 11 (1) shall not apply to any qualified public
 12 housing agency; and

13 “(ii) except as provided in subsection
 14 (e)(4)(B), any reference in this section or
 15 any other provision of law to a ‘public
 16 housing agency’ shall not be considered to
 17 refer to any qualified public housing agen-
 18 cy, to the extent such reference applies to
 19 the requirement to submit an annual pub-
 20 lic housing agency plan under this sub-
 21 section.

22 “(B) CIVIL RIGHTS CERTIFICATION.—Not-
 23 withstanding that qualified public housing agen-
 24 cies are exempt under subparagraph (A) from
 25 the requirement under this section to prepare
 26 and submit an annual public housing plan, each

qualified public housing agency shall, on an annual basis, make the certification described in paragraph (16) of subsection (d), except that for purposes of such qualified public housing agencies, such paragraph shall be applied by substituting ‘the public housing program of the agency’ for ‘the public housing agency plan’.

“(C) DEFINITION.—For purposes of this section, the term ‘qualified public housing agency’ means a public housing agency that—

“(i) administers—

“(I) 500 or fewer public housing dwelling units; or

“(II) any number of vouchers under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)); and

“(ii) is not designated under section 6(j)(2) as a troubled public housing agency.”.

(b) RESIDENT PARTICIPATION.—Section 5A of the United States Housing Act of 1937 (42 U.S.C. 1437c–1) is amended—

(1) in subsection (e), by inserting after paragraph (3) the following:

1 “(4) QUALIFIED PUBLIC HOUSING AGENCIES.—

2 “(A) IN GENERAL.—Except as provided in
 3 subparagraph (B), nothing in this section may
 4 be construed to exempt a qualified public hous-
 5 ing agency from the requirement under para-
 6 graph (1) to establish 1 or more resident advi-
 7 sory boards. Notwithstanding that qualified
 8 public housing agencies are exempt under sub-
 9 section (b)(3)(A) from the requirement under
 10 this section to prepare and submit an annual
 11 public housing plan, each qualified public hous-
 12 ing agency shall consult with, and consider the
 13 recommendations of the resident advisory
 14 boards for the agency, at the annual public
 15 hearing required under subsection (f)(5), re-
 16 garding any changes to the goals, objectives,
 17 and policies of that agency.

18 “(B) APPLICABILITY OF WAIVER AUTHOR-
 19 ITY.—Paragraph (3) shall apply to qualified
 20 public housing agencies, except that for pur-
 21 poses of such qualified public housing agencies,
 22 subparagraph (B) of such paragraph shall be
 23 applied by substituting ‘the functions described
 24 in the second sentence of paragraph (4)(A)’ for
 25 ‘the functions described in paragraph (2)’.

1 “(f) PUBLIC HEARINGS.—”; and

2 (2) in subsection (f) (as so designated by the
3 amendment made by paragraph (1)), by adding at
4 the end the following:

5 “(5) QUALIFIED PUBLIC HOUSING AGENCIES.—

6 “(A) REQUIREMENT.—Notwithstanding
7 that qualified public housing agencies are ex-
8 empt under subsection (b)(3)(A) from the re-
9 quirement under this section to conduct a pub-
10 lic hearing regarding the annual public housing
11 plan of the agency, each qualified public hous-
12 ing agency shall annually conduct a public hear-
13 ing—

14 “(i) to discuss any changes to the
15 goals, objectives, and policies of the agen-
16 cy; and

17 “(ii) to invite public comment regard-
18 ing such changes.

19 “(B) AVAILABILITY OF INFORMATION AND
20 NOTICE.—Not later than 45 days before the
21 date of any hearing described in subparagraph
22 (A), a qualified public housing agency shall—

23 “(i) make all information relevant to
24 the hearing and any determinations of the
25 agency regarding changes to the goals, ob-

1 jectives, and policies of the agency to be
2 considered at the hearing available for in-
3 spection by the public at the principal of-
4 fice of the public housing agency during
5 normal business hours; and

6 “(ii) publish a notice informing the
7 public that—

8 “(I) the information is available
9 as required under clause (i); and

10 “(II) a public hearing under sub-
11 paragraph (A) will be conducted.”

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