

109TH CONGRESS
2D SESSION

S. 2983

To provide for the Department of Housing and Urban Development to coordinate Federal housing assistance efforts in the case of disasters resulting in long-term housing needs.

IN THE SENATE OF THE UNITED STATES

MAY 23, 2006

Ms. LANDRIEU introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To provide for the Department of Housing and Urban Development to coordinate Federal housing assistance efforts in the case of disasters resulting in long-term housing needs.

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 “Natural Disaster
5 Housing Reform Act of 2006”.

1 **SEC. 2. HUD AS LEAD AGENCY IN CASES OF DISASTERS RE-**
2 **SULTING IN LONG-TERM HOUSING NEEDS.**

3 (a) IN GENERAL.—It is the policy of the United
4 States that the Department of Housing and Urban Devel-
5 opment shall be primary Federal agency responsible for
6 coordinating and administering housing assistance in con-
7 nection with any major disaster (as such term is defined
8 in section 102 of the Robert T. Stafford Disaster Relief
9 and Emergency Assistance Act (42 U.S.C. 5122)) for any
10 area that, pursuant to section 408(b)(2) of such Act, is
11 determined to be an area for which such disaster will re-
12 sult in long-term housing needs.

13 (b) CONSULTATION.—The Secretary of Housing and
14 Urban Development shall, in coordinating and admin-
15 istering housing assistance pursuant to subsection (a),
16 consult with the Secretary of Homeland Security, the Di-
17 rector of the Federal Emergency Management Agency,
18 and such other heads of Federal agencies as may be ap-
19 propriate.

20 (c) USE OF REGIONAL AND LOCAL OFFICES.—In co-
21 ordinating and administering housing assistance pursuant
22 to subsection (a), the Secretary of Housing and Urban De-
23 velopment shall utilize staff and other resources of appro-
24 priate regional, field, and area offices of the Department
25 and consult and coordinate with appropriate State and
26 local housing agencies.

1 (d) PREPAREDNESS.—The Secretary of Housing and
2 Urban Development shall take such actions as may be nec-
3 essary to ensure that officers and staff of the Department
4 at headquarters, regional, field, and area offices at all
5 times have the capability, capacity, training, and resources
6 necessary to carry out the responsibilities under sub-
7 section (a).

8 (e) HOUSING ASSISTANCE.—For purposes of this sec-
9 tion, the term “housing assistance”—

10 (1) means any assistance that is provided to in-
11 dividuals, families, or households to respond to dis-
12 aster-related housing needs of individuals, families,
13 or households who are displaced from their
14 predisaster primary residences or whose predisaster
15 primary residences are rendered uninhabitable as a
16 result of damage caused by a major disaster pursu-
17 ant to—

18 (A) the Robert T. Stafford Disaster Relief
19 and Emergency Assistance Act (42 U.S.C. 5121
20 et seq.)); or

21 (B) any other provision of law specifically
22 providing funds or assistance in connection with
23 a major disaster; and

24 (2) includes—

25 (A) financial assistance;

1 (B) the provision of temporary, transi-
 2 tional, and permanent housing units;

3 (C) assistance for repair, replacement, and
 4 construction of housing units;

5 (D) technical assistance; and

6 (E) any other form or type of housing as-
 7 sistance.

8 (f) DETERMINATION OF LONG-TERM HOUSING
 9 NEEDS.—Section 408(b) of the Robert T. Stafford Dis-
 10 aster Relief and Emergency Assistance Act (42 U.S.C.
 11 5174(b)) is amended—

12 (1) by redesignating paragraph (2) as para-
 13 graph (3); and

14 (2) by inserting after paragraph (1) the fol-
 15 lowing new paragraph:

16 “(2) DETERMINATION OF AREAS FOR WHICH
 17 DISASTER RESULTS IN LONG-TERM HOUSING
 18 NEEDS.—

19 “(A) STATE REQUEST.—After the occur-
 20 rence and declaration of a major disaster, the
 21 Governor of a State containing any area that is
 22 subject to the declaration by the President of
 23 such major disaster may request the President
 24 to determine, for all or any part of such area

1 in the State, that the disaster will result in
2 long-term housing needs.

3 “(B) STANDARD.—

4 “(i) IN GENERAL.—Upon a request
5 pursuant to subparagraph (A), the Presi-
6 dent shall determine whether to grant such
7 request.

8 “(ii) FINDINGS.—The President shall
9 grant such a request and determine that
10 the major disaster will result in long-term
11 housing needs with respect to an area if
12 the President finds that the disaster will
13 displace individuals or households in the
14 area from their predisaster primary resi-
15 dences, or will render such predisaster pri-
16 mary residences in the area uninhabitable,
17 for a period of 30 days or more.”.

18 (g) CONFORMING AMENDMENT.—Section 408(b) of
19 the Robert T. Stafford Disaster Relief and Emergency As-
20 sistance Act (42 U.S.C. 5174(b)), as amended by sub-
21 section (f) of this section, is amended by adding at the
22 end the following:

23 “(4) HUD ADMINISTRATION.—In accordance
24 with section 2 of the Natural Disaster Housing Re-
25 form Act of 2006, in the case of any area for which

1 any major disaster is determined to result in long-
 2 term housing needs pursuant to paragraph (2), the
 3 President shall carry out the functions under this
 4 section relating to housing assistance, including this
 5 subsection and subsections (c) and (d), acting
 6 through the Secretary of Housing and Urban Devel-
 7 opment.”.

8 (h) SAVINGS PROVISION.—This section and the
 9 amendments made by this section may not be construed
 10 to affect, alter, limit, or decrease the authority of the Di-
 11 rector of the Federal Emergency Management Agency in
 12 the overall coordination of assistance and relief with re-
 13 spect to a major disaster.

14 **SEC. 3. FEDERAL ASSISTANCE TO INDIVIDUALS AND**
 15 **HOUSEHOLDS.**

16 Section 408 of the Robert T. Stafford Disaster Relief
 17 and Emergency Assistance Act (42 U.S.C. 5174) is
 18 amended—

19 (1) in subsection (b)—

20 (A) in paragraph (3) (as so redesignated
 21 by section 2(f)(1) of this Act), by adding at the
 22 end the following:

23 “(C) MANUFACTURED MODULAR HOUS-
 24 ING.—In making any determination of cost ef-
 25 fectiveness under subparagraph (A), the Presi-

1 dent shall consider whether or not manufac-
 2 tured modular housing can be provided to an
 3 individual or household at a cost to the Govern-
 4 ment that is less than the same cost necessary
 5 to provide other readily fabricated dwellings.”;
 6 and

7 (B) by adding at the end the following:

8 “(5) CONSENT OF OWNER.—

9 “(A) IN GENERAL.—Notwithstanding para-
 10 graph (2)(C), the President shall seek the con-
 11 sent of each individual or household prior to
 12 providing such individual or household with
 13 manufactured modular housing assistance.

14 “(B) REJECTION OF MANUFACTURED
 15 MODULAR HOUSING ASSISTANCE.—If an indi-
 16 vidual or household does not provide consent
 17 under subparagraph (A), such individual or
 18 household shall remain eligible for any other as-
 19 sistance available under this section.

20 “(6) OWNER CONTRIBUTION.—Nothing in this
 21 section shall be construed to prevent an individual or
 22 household from contributing, in addition to any as-
 23 sistance provided under this section, such sums as
 24 are necessary in order to obtain manufactured mod-

ular housing that is of greater size or quality than
that provided by the President under this section.”;

(2) in subsection (c)—

(A) in paragraph (1)(A)(ii), by inserting
“the amount of any security deposit for the ac-
commodation, the amount of any utility fees as-
sociated with the accommodation, and” after
“plus”;

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in clause (i), by striking “(i)”
and inserting “(i)(I)”;

(II) by redesignating clause (ii)
as subparagraph (II); and

(III) by adding at the end the
following:

“(ii) the repair, to a safe and sanitary
living or functioning condition, of existing
rental units that, upon such repair, will be
used as alternate housing accommodations
for individuals or households described in
paragraph (1).”;

(ii) in subparagraph (B)—

1 (I) by striking “this paragraph”
 2 and inserting “subparagraph (A)(i)”;
 3 and

4 (II) by inserting “not” after
 5 “can”; and

6 (iii) in subparagraph (C), by striking
 7 “this paragraph” and inserting “subpara-
 8 graph (A)(i)”; and
 9 (C) in paragraph (4)—

10 (i) in the paragraph heading, by in-
 11 serting “OR SEMI-PERMANENT” after
 12 “PERMANENT”;

13 (ii) by inserting “or semi-permanent”
 14 after “permanent”;

15 (iii) by striking “in insular areas” and
 16 inserting the following: “in—
 17 “(A) insular areas”;

18 (iv) by striking “(A) no alternative”
 19 and inserting “(i) no alternative” and ad-
 20 justing the margin accordingly;

21 (v) by striking “(B)” and inserting
 22 “(ii)” and adjusting the margin accord-
 23 ingly;

24 (vi) by striking the period at the end
 25 and inserting “; and”; and

1 (vii) by adding at the end the fol-
 2 lowing:

3 “(B) any area in which the President de-
 4 clared a major disaster or emergency in connec-
 5 tion with Hurricane Katrina of 2005 during the
 6 period beginning on August 28, 2005, and end-
 7 ing on December 31, 2007.”;

8 (3) in subsection (d)(1), by adding at the end
 9 the following:

10 “(C) SITES LOCATED IN A FLOODPLAIN.—
 11 Notwithstanding any other provision of law, in-
 12 cluding section 9 of title 44, Code of Federal
 13 Regulations (or any corresponding similar regu-
 14 lation or ruling), any permanent, semi-perma-
 15 nent, or temporary housing provided under this
 16 section, including any readily fabricated dwell-
 17 ing, manufactured housing, or manufactured
 18 modular housing, may be located in any area
 19 identified by the Director as an area having
 20 special flood hazards under section 102 of the
 21 Flood Disaster Protection Act of 1973 (42
 22 U.S.C. 4012a)).

23 “(D) INDIVIDUAL SITES FOR MANUFAC-
 24 TURED MODULAR HOUSING.—Manufactured

1 modular housing made available under this sec-
 2 tion—

3 “(i) shall, whenever practicable, be lo-
 4 cated on a site that is a discrete and sepa-
 5 rate parcel of land; and

6 “(ii) may not be located on a site
 7 that—

8 “(I) is managed by the Director;
 9 and

10 “(II) contains 3 or more other
 11 manufactured modular housing
 12 units.”; and

13 (4) by adding at the end the following:

14 “(j) EVACUATION PLANS.—The Director, in con-
 15 sultation with the Governor of each State and the heads
 16 of such units of local government as the Director may de-
 17 termine, shall develop and maintain detailed and com-
 18 prehensive mass evacuation plans for individuals or house-
 19 holds receiving assistance under this section for the 18-
 20 month period beginning on the date of the declaration of
 21 the disaster for which such assistance is provided.”.

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