

110TH CONGRESS
2D SESSION

S. 2975

To provide additional funds for affordable housing for low-income seniors, disabled persons, and others who lost their homes as a result of Hurricanes Katrina and Rita.

IN THE SENATE OF THE UNITED STATES

MAY 2, 2008

Mr. REID (for Ms. LANDRIEU (for herself, Mr. COCHRAN, and Mr. WICKER)) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To provide additional funds for affordable housing for low-income seniors, disabled persons, and others who lost their homes as a result of Hurricanes Katrina and Rita.

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 “Gulf Coast Multifamily
5 and Assisted Housing Recovery Act”.

6 **SEC. 2. ADDITIONAL SUPPORT FOR HOUSING LOW-INCOME**
7 **ELDERLY PERSONS.**

8 Section 202 of the Housing Act of 1959 (12 U.S.C.
9 1701q) is amended by adding at the end the following:

1 “(n) ADDITIONAL SUPPORT FOR LOW-INCOME EL-
 2 DERLY PERSONS DISPLACED BY HURRICANES KATRINA
 3 AND RITA.—

4 “(1) IN GENERAL.—In addition to any amounts
 5 authorized under subsection (m), for fiscal year
 6 2009 there is authorized to be appropriated
 7 \$125,000,000 to the Secretary to provide assistance
 8 pursuant to this section to private nonprofit organi-
 9 zations and consumer cooperatives to expand the
 10 supply of supportive housing for low-income elderly
 11 persons—

12 “(A) who on August 28, 2005, for Hurri-
 13 cane Katrina and September 24, 2005, for
 14 Hurricane Rita, were residents in a designated
 15 disaster area;

16 “(B) whose primary residence—

17 “(i) was significantly damaged by
 18 Hurricane Katrina or Hurricane Rita or by
 19 flooding resulting from Hurricane Katrina
 20 or Hurricane Rita; or

21 “(ii) is uninhabitable as a result of
 22 damage or flooding resulting from Hurri-
 23 cane Katrina or Hurricane Rita, including
 24 uninhabitability resulting from lack of elec-

1 tricity, water, or other services due to such
2 damage or flooding; and

3 “(C) who cannot, in the discretion of the
4 Secretary, afford to rebuild such residence.

5 “(2) ALLOCATION OF FUNDS.—Of the amounts
6 authorized to be appropriated under paragraph (1),
7 the Secretary shall allocate—

8 “(A) \$55,000,000 to the State of Lou-
9 isiana;

10 “(B) \$50,000,000 to the State of Mis-
11 sissippi; and

12 “(C) \$20,000,000 to the State of Alabama.

13 “(3) DEFINITION.—As used in this subsection,
14 the term ‘designated disaster area’ means any area
15 in the States of Alabama, Mississippi, and Louisiana
16 that was the subject of a disaster declaration by the
17 President under title IV of the Robert T. Stafford
18 Disaster Relief and Emergency Assistance Act (42
19 U.S.C. 5121 et seq.) in response to Hurricanes
20 Katrina and Rita of 2005.”.

21 **SEC. 3. ADDITIONAL SUPPORT FOR LOW-INCOME PERSONS**
22 **WITH DISABILITIES.**

23 Section 811 of the Cranston-Gonzalez National Af-
24 fordable Housing Act (42 U.S.C. 8013) is amended by
25 adding at the end the following:

1 “(o) ADDITIONAL SUPPORT FOR LOW-INCOME PER-
 2 SONS WITH DISABILITIES DISPLACED BY HURRICANES
 3 KATRINA AND RITA.—

4 “(1) IN GENERAL.—In addition to any amounts
 5 authorized under subsection (m), for fiscal year
 6 2009 there is authorized to be appropriated
 7 \$75,000,000 to the Secretary to provide assistance
 8 pursuant to this section to private, nonprofit organi-
 9 zations to expand the supply of supportive housing
 10 for persons with disabilities—

11 “(A) who on August 28, 2005, for Hurri-
 12 cane Katrina and September 24, 2005, for
 13 Hurricane Rita, were residents in a designated
 14 disaster area;

15 “(B) whose primary residence—

16 “(i) was significantly damaged by
 17 Hurricane Katrina or Hurricane Rita or by
 18 flooding resulting from Hurricane Katrina
 19 or Hurricane Rita; or

20 “(ii) is uninhabitable as a result of
 21 damage or flooding resulting from Hurri-
 22 cane Katrina or Hurricane Rita, including
 23 uninhabitability resulting from lack of elec-
 24 tricity, water, or other services due to such
 25 damage or flooding; and

1 “(C) who cannot, in the discretion of the
2 Secretary, afford to rebuild such residence.

3 “(2) ALLOCATION OF FUNDS.—Of the amounts
4 authorized to be appropriated under paragraph (1),
5 the Secretary shall allocate—

6 “(A) \$35,000,000 to the State of Lou-
7 isiana;

8 “(B) \$25,000,000 to the State of Mis-
9 sissippi; and

10 “(C) \$15,000,000 to the State of Alabama.

11 “(3) DEFINITION.—As used in this subsection,
12 the term ‘designated disaster area’ means any area
13 in the States of Alabama, Mississippi, and Louisiana
14 that was the subject of a disaster declaration by the
15 President under title IV of the Robert T. Stafford
16 Disaster Relief and Emergency Assistance Act (42
17 U.S.C. 5121 et seq.) in response to Hurricanes
18 Katrina and Rita of 2005.”.

19 **SEC. 4. TARGETED HOUSING SUPPORT FOR LOW-INCOME**
20 **ELDERLY PERSONS IN NEW ORLEANS AND ST.**
21 **BERNARD PARISH.**

22 There is authorized to be appropriated for the rede-
23 velopment (rebuilding or replacement) of housing author-
24 ized under section 202 of the Housing Act of 1959 (12

1 U.S.C. 1701q) which was damaged or destroyed as a re-
 2 sult of Hurricane Katrina of 2005—

3 (1) \$2,500,000 to the City of New Orleans; and

4 (2) \$1,500,000 to the Parish of St. Bernard.

5 **SEC. 5. USE OF BUDGET-BASED RENT INCREASES FOR SEC-**
 6 **TION 202 AND 811 PROJECTS IN A DES-**
 7 **IGNATED DISASTER AREA.**

8 (a) SECTION 202.—Section 202 of the Housing Act
 9 of 1959 (12 U.S.C. 1701q), as amended by section 2, is
 10 further amended by adding at the end the following:

11 “(o) APPROVAL OF RENT INCREASES.—

12 “(1) IN GENERAL.—The Secretary shall annu-
 13 ally adjust the rent levels on a budget-based basis of
 14 eligible projects to support the increased cost of op-
 15 erating or rehabilitating such projects.

16 “(2) CONDITIONS.—Rent adjustments pursuant
 17 to this section shall—

18 “(A) be subject to adjustment by the Sec-
 19 retary based on differences between estimated
 20 and actual costs of operating or rehabilitating
 21 such projects; and

22 “(B) not exceed the rent for comparable
 23 unassisted units in the area.

24 “(3) DEFINITIONS.—As used in this section—

1 “(A) the term ‘eligible project’ means a
2 project that is—

3 “(i) assisted under subsection (c)(2);
4 and

5 “(ii) located in a designated disaster
6 area; and

7 “(B) the term ‘designated disaster area’
8 means any area in the States of Alabama, Mis-
9 sissippi, and Louisiana that was the subject of
10 a disaster declaration by the President under
11 title IV of the Robert T. Stafford Disaster Re-
12 lief and Emergency Assistance Act (42 U.S.C.
13 5121 et seq.) in response to Hurricanes Katrina
14 and Rita of 2005.”.

15 (b) SECTION 811.—Section 811 of the Cranston-Gon-
16 zalez National Affordable Housing Act (42 U.S.C. 8013),
17 as amended by section 2, is further amended by adding
18 at the end the following:

19 “(p) APPROVAL OF RENT INCREASES.—

20 “(1) IN GENERAL.—The Secretary shall annu-
21 ally adjust the rent levels on a budget-based basis of
22 eligible projects to support the increased cost of op-
23 erating or rehabilitating such projects.

24 “(2) CONDITIONS.—Rent adjustments pursuant
25 to this section shall—

1 “(A) be subject to adjustment by the Sec-
2 retary based on differences between estimated
3 and actual costs of operating or rehabilitating
4 such projects; and

5 “(B) not exceed the rent for comparable
6 unassisted units in the area.

7 “(3) DEFINITIONS.—As used in this section—

8 “(A) the term ‘eligible project’ means a
9 project that is—

10 “(i) assisted under subsection (d)(2);

11 and

12 “(ii) located in a designated disaster
13 area; and

14 “(B) the term ‘designated disaster area’
15 means any area in the States of Alabama, Mis-
16 sissippi, and Louisiana that was the subject of
17 a disaster declaration by the President under
18 title IV of the Robert T. Stafford Disaster Re-
19 lief and Emergency Assistance Act (42 U.S.C.
20 5121 et seq.) in response to Hurricanes Katrina
21 and Rita of 2005.”.

1 **SEC. 6. PRESERVATION AND PROVISION OF PROJECT-**
2 **BASED HOUSING FOR AFFORDABLE HOUSING**
3 **UNITS DAMAGED OR DESTROYED BY HURRI-**
4 **CANES KATRINA OR RITA.**

5 (a) REPORT ON TERMINATED PROJECT-BASED CON-
6 TRACTS IN DESIGNATED DISASTER AREA.—Not later
7 than 45 days after the date of enactment of this Act, the
8 Secretary of Housing and Urban Development shall pro-
9 vide a report to the Committee on Banking, Housing, and
10 Urban Affairs of the Senate and the Committee on Finan-
11 cial Services of the House of Representatives detailing—

12 (1) information on the number of project-based
13 assistance contracts and units which were termi-
14 nated in the designated disaster area after Sep-
15 tember 30, 2005;

16 (2) information on the specific developer,
17 project name, location, number of units, and project
18 description for each project-based assistance con-
19 tract which was terminated in the designated dis-
20 aster area after September 2005; and

21 (3) such additional information as the Com-
22 mittee on Banking, Housing, and Urban Affairs of
23 the Senate and the Committee on Financial Services
24 of the House of Representatives shall reasonably re-
25 quire.

26 (b) TOLLING OF CONTRACT TERM.—

1 (1) IN GENERAL.—Notwithstanding any other
 2 provision of law, a project-based assistance payments
 3 contract for a covered assisted multifamily housing
 4 project shall not expire or be terminated because of
 5 the damage or destruction of dwelling units in the
 6 project as a result of Hurricane Katrina or Hurri-
 7 cane Rita.

8 (2) EXPIRATION DATE.—The expiration date of
 9 the contract for a covered assisted multifamily hous-
 10 ing project described under paragraph (1) shall be
 11 deemed to be the later of—

12 (A) the date specified in the contract; or

13 (B) the date that is not less than 3 months
 14 after the dwelling units in such project, or in a
 15 replacement project, are first made habitable.

16 (c) OWNER PROPOSALS FOR REUSE OR RESITING OF
 17 AFFORDABLE UNITS.—Pursuant to section 215 of title II
 18 of division K of Public Law 110–161 (121 Stat. 2433),
 19 the Secretary of Housing and Urban Development shall,
 20 not later than October 1, 2009, promptly review and ap-
 21 prove—

22 (1) any feasible proposal made by the owner of
 23 a covered assisted multifamily housing project sub-
 24 mitted to the Secretary that provides for the reha-
 25 bilitation of such project and the resumption of use

1 of the project-based assistance under the contract
2 for such project; or

3 (2) the transfer, subject to the conditions estab-
4 lished under section 215(b) of title II of division K
5 of Public Law 110–161, of the contract for such
6 covered assisted multifamily housing project, or in
7 the case of a covered assisted multifamily housing
8 project with an interest reduction payments con-
9 tract, of the remaining budget authority under the
10 contract, to a receiving project or projects.

11 (d) DEFINITIONS.—For purposes of this section—

12 (1) the term “covered assisted multifamily
13 housing project” means housing that—

14 (A) meets one of the conditions established
15 in section 215(c)(2) of title II of division K of
16 Public Law 110–161;

17 (B) was damaged or destroyed by Hurri-
18 cane Katrina or Hurricane Rita of 2005; and

19 (C) is located in an area in the States of
20 Alabama, Mississippi, and Louisiana that was
21 the subject of a disaster declaration by the
22 President under title IV of the Robert T. Staf-
23 ford Disaster Relief and Emergency Assistance
24 Act (42 U.S.C. 5121 et seq.) in response to
25 Hurricane Katrina or Hurricane Rita of 2005;

1 (2) the term “designated disaster area” means
 2 any area in the States of Alabama, Mississippi, and
 3 Louisiana that was the subject of a disaster declara-
 4 tion by the President under title IV of the Robert
 5 T. Stafford Disaster Relief and Emergency Assist-
 6 ance Act (42 U.S.C. 5121 et seq.) in response to
 7 Hurricanes Katrina and Rita of 2005;

8 (3) the term “project-based assistance” has the
 9 same meaning as in section 215(c)(3) of title II of
 10 division K of Public Law 110–161; and

11 (4) the term “receiving project or projects” has
 12 the same meaning as in section 215(c)(4) of title II
 13 of division K of Public Law 110–161.

14 **SEC. 7. HOUSING DISASTER PLAN.**

15 Not later than June 1, 2008, the Secretary of Hous-
 16 ing and Urban Development shall—

17 (1) develop a written disaster response plan for
 18 federally assisted properties, including for properties
 19 that receive assistance pursuant to—

20 (A) section 202 of the Housing Act of
 21 1959 (12 U.S.C. 1701q); and

22 (B) section 811 of the Cranston-Gonzalez
 23 National Affordable Housing Act (42 U.S.C.
 24 8013); and

1 (2) submit such plan to the Committee on
2 Banking, Housing, and Urban Affairs of the Senate
3 and the Committee on Financial Services of the
4 House of Representatives.

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