

113TH CONGRESS
1ST SESSION

H. R. 1669

To require large public housing agencies to develop disaster response and relief plans to guide and prepare staff and residents of such agencies, the local community, and Federal, State, and local governments for disasters affecting public housing projects.

IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 2013

Ms. VELÁZQUEZ (for herself, Mr. RANGEL, Mr. SERRANO, and Mr. JEFFRIES) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To require large public housing agencies to develop disaster response and relief plans to guide and prepare staff and residents of such agencies, the local community, and Federal, State, and local governments for disasters affecting public housing projects.

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 “Public Housing Dis-
5 aster Preparedness Act of 2013”.

1 **SEC. 2. DISASTER RESPONSE AND RELIEF PLAN.**

2 The United States Housing Act of 1937 (42 U.S.C.
3 1437 et seq.) is amended by adding at the end the fol-
4 lowing new title:

5 **“TITLE V—DISASTER**
6 **PREPAREDNESS**

7 **“SEC. 501. DEFINITIONS.**

8 “In this title:

9 “(1) COVERED PUBLIC HOUSING AGENCY.—The
10 term ‘covered public housing agency’ means a public
11 housing agency that owns, operates, or assists no
12 less than 500 dwelling units in public housing
13 projects.

14 “(2) DISASTER.—The term ‘disaster’ has the
15 same meaning given the term ‘major disaster’ in sec-
16 tion 102(2) of the Robert T. Stafford Disaster Re-
17 lief and Emergency Assistance Act (42 U.S.C.
18 5122(2)) and includes any natural catastrophe (in-
19 cluding any hurricane, tornado, storm, high water,
20 wind driven water, tidal wave, tsunami, earthquake,
21 volcanic eruption, landslide, mudslide, snowstorm, or
22 drought), or, regardless of cause, any fire, flood, or
23 explosion, which in the determination of a relevant
24 State or local official causes damage of sufficient se-
25 verity and magnitude to warrant disaster assistance

1 in alleviating the damage, loss, hardship, or suf-
2 fering caused thereby.

3 “(3) SECRETARY.—The term ‘Secretary’ means
4 the Secretary of Housing and Urban Development.

5 **“SEC. 502. REQUIREMENT OF DISASTER RESPONSE AND RE-**
6 **LIEF PLAN.**

7 “(a) IN GENERAL.—The Secretary shall require each
8 covered public housing agency to develop a disaster re-
9 sponse and relief plan in accordance with the provisions
10 of this title to provide—

11 “(1) guidance for—

12 “(A) public housing agencies and staff;

13 “(B) residents of dwelling units in public
14 housing;

15 “(C) relevant Federal, State, and local
16 agencies and officials; and

17 “(D) community-based organizations; and

18 “(2) comprehensive information regarding pre-
19 disaster, disaster impact, and post-disaster policies,
20 standards, procedures, and protocols.

21 “(b) SUBMISSION WITH ANNUAL AND 5-YEAR
22 PLANS.—A disaster response and relief plan developed
23 under this title shall be included in the annual and 5-year
24 plans required to be submitted under section 5A of this
25 Act.

1 “(c) HUD APPROVAL.—

2 “(1) IN GENERAL.—A disaster response and re-
3 lief plan developed under this title shall be submitted
4 to the Secretary for approval before implementation
5 of such plan.

6 “(2) RESPONSE.—The Secretary shall have 60
7 days to respond to each submission made pursuant
8 to paragraph (1).

9 “(d) FEEDBACK.—A covered public housing agency
10 shall seek input from resident or tenant associations and
11 advocacy groups during the development of the disaster
12 relief plan described in subsection (a).

13 “(e) RULE OF CONSTRUCTION.—Nothing in this title
14 prohibits a covered public housing agency from developing
15 and submitting to the Secretary multiple plans tailored to
16 address specific disasters.

17 **“SEC. 503. ESTABLISHING COMMUNICATION AND SUPPORT.**

18 “(a) IN GENERAL.—A covered public housing agency
19 shall include in the disaster response and relief plan devel-
20 oped under this title protocols for receiving, analyzing, and
21 disseminating information regarding disasters before, dur-
22 ing, and after such disaster.

23 “(b) COORDINATION AND DISSEMINATION OF INFOR-
24 MATION.—A covered public housing agency shall—

1 “(1) provide structure and organization within
2 such agency by establishing a clearly defined chain
3 of command with set responsibilities for each indi-
4 vidual or group of individuals involved; and

5 “(2) identify 1 or more individuals or groups of
6 individuals at each agency and each building that is
7 owned, operated, or assisted by each agency that are
8 responsible for—

9 “(A) coordinating disaster relief efforts;
10 and

11 “(B) disseminating information regarding
12 emergency protocols under the disaster response
13 and relief plan developed under this title to
14 each resident of a dwelling unit in public hous-
15 ing owned, operated, or assisted by such agency
16 and other stakeholder groups, including commu-
17 nity-based organizations that may provide as-
18 sistance to such resident following a disaster.

19 **“SEC. 504. RESIDENT PREPAREDNESS.**

20 “(a) IN GENERAL.—A covered public housing agency
21 shall disseminate information about the emergency proto-
22 cols established under the disaster response and relief plan
23 developed under this title to each resident of a dwelling
24 unit in public housing owned, operated, or assisted by such
25 agency—

1 “(1) prior to such resident moving into their
2 dwelling unit;

3 “(2) annually; and

4 “(3) if possible, prior to an impending disaster.

5 “(b) INFORMATION.—Such information disseminated
6 under subsection (a) shall include—

7 “(1) information on how to prepare for a dis-
8 aster;

9 “(2) if necessary, mandatory evacuation proto-
10 cols;

11 “(3) a list of covered public housing agency and
12 resident rights and responsibilities, as applicable
13 under Federal, State, and local law and regulations,
14 and covered public housing agency rules and emer-
15 gency protocols before, during, and after a disaster
16 as they relate to—

17 “(A) disaster preparedness;

18 “(B) evacuations;

19 “(C) disaster relief;

20 “(D) basic human needs assistance;

21 “(E) utility restoration;

22 “(F) resident relocation;

23 “(G) supportive services;

24 “(H) payment of rent and eligible rent ex-
25 emptions; and

1 “(I) assessing and repairing physical dam-
2 age to public housing buildings; and

3 “(4) any other items that the Secretary may re-
4 quire through regulations prescribed pursuant to
5 this title.

6 “(c) METHOD OF DISSEMINATION.—The information
7 described under subsection (b)—

8 “(1) shall be disseminated by—

9 “(A) giving notices and flyers to each resi-
10 dent of a dwelling unit in public housing and
11 posted in high-traffic areas;

12 “(B) having an automated system to con-
13 tact residents;

14 “(C) posting on the official Web site of the
15 covered public housing agency with links to the
16 appropriate Web pages regarding the impending
17 disaster; and

18 “(D) any other means the Secretary may
19 require through regulations prescribed pursuant
20 to this title; and

21 “(2) may be disseminated by—

22 “(A) visiting door-to-door to each dwelling
23 unit and providing such information to each
24 resident;

25 “(B) phone trees; and

1 “(C) toll-free numbers for residents to call.

2 “(d) ACCESSIBILITY OF INFORMATION.—The infor-
3 mation described under this section shall be accessible to
4 individuals with limited English proficiency.

5 “(e) INCLUSION OF RESIDENTS.—A covered public
6 housing agency is strongly encouraged to include residents
7 of public housing owned, operated, or assisted by such
8 agency in the execution of the disaster response and relief
9 plan developed under this title.

10 **“SEC. 505. IMMEDIATE DISASTER RESPONSE.**

11 “A disaster response and relief plan developed under
12 this title shall include detailed information on how the au-
13 thorities plan to allocate and station staff before, during,
14 and after a disaster. The plan should reflect reasonable
15 emergency work hours and ensure staff is on call and pre-
16 pared for a disaster.

17 **“SEC. 506. PROTECTING SPECIAL NEEDS OF RESIDENTS.**

18 “(a) LIST.—A covered public housing agency shall
19 maintain a list, updated annually, of the members of each
20 family residing in a dwelling unit in public housing owned,
21 operated, or assisted by such agency, and identify the fol-
22 lowing (as such information is provided by residents):

23 “(1) The special needs of certain residents be-
24 cause of a disability, physical or mobility impair-
25 ment, or medical condition.

1 “(2) The units in which residents who are el-
2 derly reside.

3 “(3) The units in which residents who have lim-
4 ited English proficiency reside and the primary lan-
5 guages of such residents.

6 “(b) DISSEMINATION OF LIST.—The list described in
7 subsection (a) shall be provided to the individual or indi-
8 viduals identified under section 503(b) and other relevant
9 staff of the covered public housing agency.

10 “(c) SPECIAL POPULATIONS.—

11 “(1) IN GENERAL.—A covered public housing
12 agency shall analyze the challenges of providing dis-
13 aster relief assistance with respect to the health and
14 medical needs to certain populations of residents of
15 a dwelling unit in public housing owned, operated, or
16 assisted by such agency and include such analysis in
17 the disaster response and relief plan developed under
18 this title.

19 “(2) POPULATIONS.—The populations analyzed
20 under paragraph (1) include—

21 “(A) residents of a dwelling unit in public
22 housing who—

23 “(i) are disabled;

24 “(ii) require life-support equipment or
25 have other severe medical conditions;

1 “(iii) are elderly; or

2 “(iv) have a physical or mobility im-
3 pairment; and

4 “(B) other populations of residents identi-
5 fied by the Secretary through regulations pre-
6 scribed pursuant to this title.

7 **“SEC. 507. SAFE EVACUATION OF RESIDENTS AND STAFF.**

8 “(a) IN GENERAL.—A covered public housing agency
9 shall include in the disaster response and relief plan devel-
10 oped under this title information on evacuating residents
11 of a dwelling unit in public housing owned, operated, or
12 assisted by, and staff of, such agency.

13 “(b) REQUIRED INFORMATION.—The information re-
14 quired under subsection (a) shall include the following:

15 “(1) Detailed protocols regarding evacuating
16 residents and staff of a covered public housing agen-
17 cy safely and orderly.

18 “(2) Transportation options, in addition to pub-
19 lic transportation which may be out of service or de-
20 layed, for transporting residents and staff to safe lo-
21 cations.

22 “(3) A list of pre-approved public housing agen-
23 cy safe locations for residents and staff.

24 “(4) A list of pre-approved public housing agen-
25 cy fall-back locations for staff to monitor a disaster

1 safely and launch response efforts following the con-
2 clusion of such a disaster.

3 “(5) Options for oral and written translation
4 services for residents with limited English pro-
5 ficiency.

6 “(6) Any other information the Secretary may
7 require through regulations prescribed pursuant to
8 this title.

9 **“SEC. 508. SUPPORTING SHORT- AND LONG-TERM RELOCA-**
10 **TION OF RESIDENTS.**

11 “(a) IN GENERAL.—A covered public housing agency
12 shall include in the disaster response and relief plan devel-
13 oped under this title protocols for relocating residents in
14 the event that the unit in which such resident resides be-
15 comes uninhabitable.

16 “(b) REQUIRED INFORMATION.—The protocols de-
17 scribed in subsection (a) shall include short-term, long-
18 term, and permanent relocation possibilities.

19 **“SEC. 509. PROVIDING RELIEF TO OTHER VICTIMS.**

20 “A covered public housing agency shall include in the
21 disaster response and relief plan developed under this title
22 protocols for temporarily renting vacant units of public
23 housing to local victims of a disaster who are not residents
24 of public housing.

1 **“SEC. 510. PROTECTING TENANTS FROM EVICTION.**

2 “(a) IN GENERAL.—No covered public housing agen-
3 cy shall begin, continue, or complete an eviction of a resi-
4 dent of a dwelling unit in public housing owned, operated,
5 or assisted by such agency during the moratorium period
6 defined in subsection (c).

7 “(b) EXCEPTION.—Subsection (a) shall not apply if
8 an eviction of a resident is for—

9 “(1) a drug-related or violent criminal activity;

10 “(2) a felony charge; or

11 “(3) a sex crime or any violation of Federal or
12 State law related to such resident’s status as a sex
13 offender.

14 “(c) MORATORIUM PERIOD.—The term ‘moratorium
15 period’ means the time period beginning on the date that
16 a disaster is declared by applicable Federal, State, or local
17 officials and ending on the date that the Secretary deter-
18 mines that a covered public housing agency’s disaster re-
19 lief efforts have concluded.

20 **“SEC. 511. RENTAL PAYMENT FAIRNESS.**

21 “A covered public housing agency shall prorate, for
22 each month, the rental amount, and, if applicable, the ten-
23 ant-paid utility amount of a dwelling unit assisted under
24 this Act for each family residing in a dwelling unit in pub-
25 lic housing owned, assisted, or operated by such agency
26 in accordance with the rent abatement policies under the

1 agency's rules, the property lease executed between the
2 resident and the agency, or any relevant Federal, State,
3 or local laws or regulations.

4 **“SEC. 512. ENSURING RESIDENTS RECEIVE BASIC HUMAN**
5 **NEEDS AND ASSISTANCE.**

6 “(a) IN GENERAL.—Not later than 24 hours after
7 the conclusion of a disaster, in such manner as the Sec-
8 retary may require, a covered public housing agency shall
9 provide to each resident of a dwelling unit in public hous-
10 ing owned, operated, or assisted by such agency the fol-
11 lowing:

12 “(1) Contact information for Federal, State,
13 local agencies, or other local organizations that can
14 provide supportive services and disaster relief sup-
15 port and assistance, including—

16 “(A) potable water;

17 “(B) food;

18 “(C) shelter;

19 “(D) first aid; and

20 “(E) any other support and assistance that
21 the Secretary may identify through regulations
22 prescribed pursuant to this title.

23 “(2) Specific information about household and
24 individual assistance available from—

1 “(A) the Federal Emergency Management
2 Agency;

3 “(B) any other Federal, State, and local
4 emergency relief agencies; and

5 “(C) local organizations and public housing
6 agency partners.

7 “(3) Information regarding the personal prop-
8 erty damage claims process of a covered public hous-
9 ing agency, including—

10 “(A) how to file a claim;

11 “(B) eligibility guidelines for filing a claim;

12 “(C) coverage of the policy; and

13 “(D) the time period to file and process
14 claims.

15 “(b) CREATING PARTNERSHIPS.—

16 “(1) IN GENERAL.—A covered public housing
17 agency shall create partnerships to provide basic
18 human needs, additional supportive services, and se-
19 curity before, during, and after the conclusion of a
20 disaster for each resident of a dwelling unit in public
21 housing owned, assisted, or operated by such agency.

22 “(2) POTENTIAL PARTNERS.—A covered public
23 housing agency may establish partnerships with—

24 “(A) the Federal Emergency Management
25 Agency;

1 “(B) State and local governments;
2 “(C) local law enforcement;
3 “(D) community-based organizations;
4 “(E) resident or tenant associations;
5 “(F) health care professionals;
6 “(G) other individuals or organizations
7 that provide volunteer services; or
8 “(H) any other entity that the Secretary
9 may include through regulations prescribed pur-
10 suant to this title.

11 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-
12 tion shall be construed as to prohibit or restrict any entity
13 from providing disaster relief to any resident of a dwelling
14 unit in public housing.

15 **“SEC. 513. PROTECTION AND RESTORATION OF PUBLIC**
16 **HOUSING BUILDINGS.**

17 “(a) IN GENERAL.—The disaster response and relief
18 plan developed under this title shall include protocols for
19 inspecting, evaluating, and repairing damage to physical
20 assets of a covered public housing agency.

21 “(b) PROTOCOLS FOR PROTECTION AND RESTORA-
22 TION OF PUBLIC HOUSING.—Such protocols shall include
23 the following:

1 “(1) Maintaining a list of licensed contractors
2 to assess damage to physical assets and provide
3 short-term repair and restoration efforts.

4 “(2) If possible, executing supportive services
5 contracts in advance of disasters to obtain faster re-
6 sponse times.

7 “(3) Deploying contractors immediately fol-
8 lowing the conclusion of a disaster to assess and re-
9 pair immediate priorities, including—

10 “(A) restoring electric, gas, water, VAC.,
11 sewage, and elevator service as soon as possible;

12 “(B) remediating exigent health and safety
13 hazards, such as mold and mildew removal and
14 pest control; and

15 “(C) other items as described by the Sec-
16 retary through regulations prescribed pursuant
17 to this title.

18 “(4) Not later than 14 days after the conclu-
19 sion of a disaster, conducting follow-up inspections
20 to determine short- and long-term repair and res-
21 toration priorities.

22 “(5) Establishing short-term priorities for the
23 repair and restoration of public housing projects, in-
24 cluding—

1 “(A) air quality testing to address disaster
2 related health and safety hazards;

3 “(B) continuing to maintain building sys-
4 tems and utilities; and

5 “(C) other items as described by the Sec-
6 retary through regulations prescribed pursuant
7 to this title.

8 “(6) Establishing long-term priorities for the
9 repair and restoration of public housing projects, in-
10 cluding—

11 “(A) developing a revised physical capital
12 needs assessment to determine necessary re-
13 pairs and rehabilitation of a public housing
14 project;

15 “(B) rehabilitating building structures;

16 “(C) repairing and rehabilitating super-
17 ficial damages to building structures and dwell-
18 ing units;

19 “(D) mitigating the impact of a disaster
20 that may occur in the future by upgrading or
21 replacing building systems or strengthening the
22 structure of the building; and

23 “(E) other items as described by the Sec-
24 retary through regulations prescribed pursuant
25 to this title.

1 **“SEC. 514. EMERGENCY SUPPLIES AND EQUIPMENT.**

2 “(a) IN GENERAL.—The disaster response and relief
3 plan developed under this title shall include a detailed list
4 describing the condition and location of emergency sup-
5 plies and equipment, including—

6 “(1) electrical generators and the types of pub-
7 lic housing building systems they are compatible
8 with;

9 “(2) mobile boilers and the types of public
10 housing building systems they are compatible with;

11 “(3) heaters and fans;

12 “(4) water pumps;

13 “(5) phones, radios, cameras, and televisions
14 (and power sources, if necessary, for these items);

15 “(6) potable water, food, and emergency supply
16 kits;

17 “(7) property vehicles;

18 “(8) backed-up critical computer files (such as
19 contact information for residents and staff, rent and
20 income calculations, and other information);

21 “(9) first aid kits; and

22 “(10) any other supplies and equipment that
23 the Secretary may describe through regulations pre-
24 scribed pursuant to this title.

25 “(b) ANNUAL REVIEW.—A covered public housing
26 agency shall check annually to ensure that the supplies

1 and equipment described in subsection (a), or through reg-
2 ulations prescribed pursuant to such subsection, are in
3 working order. Such agency shall immediately replace or
4 repair such supplies and equipment that are not in work-
5 ing order and update the list described in subsection (a).

6 “(c) CONTRACTS.—A public housing agency shall
7 enter into standby contracts for critical equipment, such
8 as pumps, boilers, and generators, in order to expedite the
9 restoration of necessary utilities.

10 **“SEC. 515. SOURCES OF ASSISTANCE.**

11 “The disaster response and relief plan developed
12 under this title shall include—

13 “(1) information regarding Federal, State, and
14 local grant and loan programs and other resources
15 related to disaster relief available to a covered public
16 housing agency;

17 “(2) how to apply for such resources; and

18 “(3) information regarding the insurance policy
19 of the covered public housing agency and how to file
20 a claim.

21 **“SEC. 516. PROPER IMPLEMENTATION OF PLAN.**

22 “The disaster response and relief plan developed
23 under this title shall include, and a covered public housing
24 agency shall have available on-site at each public housing
25 project, a step-by-step checklist to implement such plan

1 to be utilized by relevant staff of the agency. Such check-
2 list shall emphasize disaster relief on the property level.

3 **“SEC. 517. EMERGENCY DISASTER TRAINING.**

4 “(a) IN GENERAL.—The disaster response and relief
5 plan developed under this title shall include training re-
6 quirements such as—

7 “(1) hosting annual workshops to train employ-
8 ees of public housing agencies on the disaster re-
9 sponse and relief plans of such agencies and the
10 proper implementation of such plans;

11 “(2) offering no less than 3 events, such as
12 workshops, seminars (held-in person or over the
13 Internet), or conference calls, to provide information
14 to residents on—

15 “(A) what to do during a disaster;

16 “(B) covered public housing agency and
17 resident rights and responsibilities during a dis-
18 aster; and

19 “(C) basic first aid and CPR training; and

20 “(3) conducting annual evacuation and emer-
21 gency drills for disasters at public housing projects.

22 “(b) STAFF TRAINING.—A covered public housing
23 agency shall provide leadership, basic first aid, and CPR
24 training to staff of such agency to prepare such staff to
25 coordinate and assist residents of dwelling units in public

1 housing owned, assisted, or operated by such agency and
 2 other individuals in carrying out the pre-disaster, disaster
 3 impact, and post-disaster policies and procedures developed
 4 pursuant to this title.

5 “(c) RESIDENT TRAINING.—A covered public housing
 6 agency may provide leadership, basic first aid, and CPR
 7 training to residents of dwelling units in public housing
 8 owned, assisted, or operated by such agency, in addition
 9 to training required to be provided to staff of such agency
 10 under subsection (b), to prepare such residents to coordi-
 11 nate and assist other residents in carrying out the pre-
 12 disaster, disaster impact, and post-disaster policies and
 13 procedures developed pursuant to this title.

14 **“SEC. 518. IMPROVING DISASTER RELIEF OVERSIGHT.**

15 “Following a disaster in which a covered public hous-
 16 ing agency implemented its disaster response and relief
 17 plan developed under this title, the Inspector General of
 18 the Department of Housing and Urban Development shall
 19 evaluate such plan and, if necessary, make recommenda-
 20 tions for improving such plan not later than 180 days
 21 after the conclusion of such disaster.”.

22 **SEC. 3. AMENDMENTS TO HOUSING ACT.**

23 (a) INCLUSION IN 5-YEAR PLAN.—Section 5A(a)(1)
 24 of the United States Housing Act of 1937 (42 U.S.C.
 25 1437c–1(a)(1)) is amended—

1 (1) by adding at the end the following new sub-
2 paragraph:

3 “(C) if applicable, a disaster response and
4 relief plan developed in accordance with title
5 V.”;

6 (2) in subparagraph (A), by striking “and”;
7 and

8 (3) in subparagraph (B), by striking the period
9 and inserting “; and”.

10 (b) INCLUSION IN ANNUAL PLAN.—Section 5A(d) of
11 the United States Housing Act of 1937 (42 U.S.C. 1437c–
12 1(d)) is amended—

13 (1) by redesignating paragraph (19) as para-
14 graph (20); and

15 (2) by inserting after paragraph (18) the fol-
16 lowing:

17 “(19) DISASTER RESPONSE AND RELIEF
18 PLAN.—If, applicable, a plan developed by the public
19 housing agency in accordance with title V that pro-
20 vides comprehensive information regarding pre-dis-
21 aster, disaster impact, and post-disaster policies,
22 standards, procedures, and protocols.”.

1 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—There are authorized to be appro-
3 priated such sums as may be necessary to the Secretary
4 to carry out this Act.

5 (b) AVAILABILITY.—Any sums appropriated under
6 the authorization contained in this section shall remain
7 available, without fiscal year limitation, until expended.

8 **SEC. 5. EFFECTIVE DATE.**

9 A covered public housing agency (as such term is de-
10 fined in the amendments made under section 2 of this Act)
11 shall submit the initial disaster plan developed in accord-
12 ance with the amendments made under section 2 of this
13 Act on the date that occurs on the later of—

14 (1) 270 days after the date of the enactment of
15 this Act; or

16 (2) the date that the annual plan under section
17 5A(b) of the United States Housing Act of 1937 (42
18 U.S.C. 1437c–1(b)) is required to be submitted to
19 the Secretary of Housing and Urban Development.

