

for electronic voting under clause 6 of rule XVIII and clauses 8 and 9 of rule XX.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

HOPE VI IMPROVEMENT AND REAUTHORIZATION ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 922 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3524.

□ 1041

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3524) to reauthorize the HOPE VI program for revitalization of severely distressed public housing, and for other purposes, with Ms. SOLIS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentlewoman from California (Ms. WATERS) and the gentleman from West Virginia (Mrs. CAPITO) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Ms. WATERS. Madam Chairman, I yield myself such time as I may consume.

I rise in support of H.R. 3524, the HOPE VI Improvement and Reauthorization Act of 2007. As you know, I introduced H.R. 3524 on September 11 of 2007.

I want to thank each of my colleagues both on the Committee on Financial Services and in the House who have joined with me to see that this important legislation passes the House. I want to especially thank Chairman BARNEY FRANK, MELVIN WATT, and CHRISTOPHER SHAYS for their original coauthorship, cosponsorship, and support of H.R. 3524.

In drafting this bill, we worked closely with the minority, resident organizations, housing advocacy groups, public housing agencies, housing developers, bankers, green building experts, and practitioners, and other Members with an interest in the HOPE VI program. The end result is a bill that I believe takes into account the needs of residents, the community, the investors and lenders, and our public housing managers. Most importantly, we have a bill that preserves and revitalizes our public housing stock.

H.R. 3524 reauthorizes and improves the HOPE VI public housing revitalization program by requiring the one-for-one replacement of all demolished public housing units, providing residents with meaningful and substantive involvement in the planning and development of the HOPE VI plan, expanding

community and supportive services from 15 percent of grants that amount to 25 percent of grant amount; prohibiting HOPE VI specific screening criteria so that public housing residents and HOPE VI aren't held to a higher standard than non-HOPE VI residents, requiring housing agencies to monitor and track the whereabouts of relocated families, and mandating that developments be built in accordance with green building standards.

Public housing residents, including those not yet impacted by HOPE VI, and housing advocates have said that this bill has been a long time in coming, and I agree with them. I would like to note why the bill before us today is so important.

First, it preserves public housing. The administration eliminated the one-for-one replacement requirement in 1996, effectively triggering a national sloughing off of our Nation's public housing inventory.

Housing authorities have consistently built back fewer units than they have torn down and, as a result, over 30,000 units have been lost as a direct result of the HOPE VI program. Stopping this bleeding was paramount in the drafting of this legislation. One-for-one replacement is not only a part of the bill; it is the heart of this bill. Limiting one-for-one to only occupied units does a disservice to families on waiting lists and to families waiting to get on waiting lists. Public housing is a community resource, and units can be unoccupied because they are not fit for humans to live in. That does not mean that there is no need for them.

Second, because of strict screening criteria, HOPE VI has become limited to the cream of the public housing crop. Some people think that the HOPE VI development represents a new and better community and should have new and better people. However, as a Congress, we must be clear that public housing is for the most in need, not just the easiest to serve.

□ 1045

HOPE VI projects have programs and services that can greatly benefit our neediest families.

In addition, in the drive to separate the wheat from the chaff, public housing agencies have implemented screening criteria that are nothing short of draconian. These criteria include everything from credit checks, home visits, work requirements, and other criteria that many nonpublic housing residents would be unable to meet. We must reject any attempt to continue to punish public housing residents for being poor and must continue to provide them with the tools, through programs like HOPE VI, to assist them in improving their lives.

Lastly, I would like to talk about why green building standards should be mandatory in HOPE VI developments. Our public housing was built poorly and inefficiently. Many of our developments are wasteful and hazardous to

the health of the residents, and many investments we make in public housing developments, which will be around for the next 40 years, should ensure that this housing is safe, sound, energy efficient and good for the environment. This is just good public policy. We owe it to our public housing residents and to the environment to make sure that we do not recreate the inefficient and harmful mistakes that went into building many of these developments in the first place.

This bill has the support of over 145 resident organizations: the National Low-Income Housing Coalition, the National Alliance to End Homelessness, the National Housing Law Project, the Community Builders, Bank of America, the Housing Justice Network, the Corporation for Supportive Housing, and others. There are a lot of good things in this bill, and these groups recognize this.

Specifically, regarding the green building provisions, although one group is not supportive, over 30 organizations, including the U.S. Conference of Mayors, the American Public Health Association, the Metropolitan Washington Council of Governments, the National Low-Income Housing Coalition, the Council of Large Public Housing Authorities, and others, have voiced their overwhelming support for the green building requirements in the bill.

We have crafted a bill that is good for residents, housing authorities, and communities. I urge you not to be blindsided by threats from third parties and to support our Nation's low-income families and to preserve our housing stock.

Madam Chairman, I would like to say in closing that this should be a bill that receives support from both sides of the aisle. This is the kind of bill that we can truly come together around. Everyone recognizes that it is needed in all communities, rural and urban, suburban, all over the United States.

I reserve the balance of my time.

Ms. CAPITO. Madam Chairman, I yield myself 5 minutes.

Today's HOPE VI program is the direct result of the 1992 report submitted to Congress by the National Commission on Severely Distressed Public Housing that said approximately 6 percent of the 1.4 million existing public housing apartments were severely distressed and recommended that they be removed from the housing stock.

Since Congress began appropriating funds for HOPE VI in 1992, the program has been revitalizing and replacing some of the most dangerous and dilapidated public housing units in the country with mixed-income communities. These grants play a vital role in a community's redevelopment and have changed the physical characteristics of public housing from high-rise tenements to attractive, marketable units that blend in with the surrounding neighborhood and help residents attain self-sufficiency.

While the goals of the program are to be commended, and HOPE VI projects remain popular with many Members of Congress, it is not without faults. The HOPE VI program has been criticized by the administration, which argues that grantees spend their money too slowly, and by tenant advocates, who claim the program displaces more families than it houses in new developments. Also, there are those who argue that HOPE VI is not an efficient method for meeting the current and future capital needs of public housing programs.

The bill we are considering today, H.R. 3524, makes several significant changes to the underlying program. I want to commend Chairman FRANK, Chairwoman WATERS, and Congressman SHAYS for their bipartisan work on this bill. I know that Congressman SHAYS has worked hard to address some of the concerns raised by HUD and by those on this side of the aisle regarding the bill. Certainly, the manager's amendment moves in the right direction. However, there are still several areas of disagreement on this legislation, such as the elimination of demolition-only grants, implementing one-for-one replacement requirements, and mandating HOPE VI developers comply with the Green Communities Green Building Rating System.

The HOPE VI program has been a program that has worked. Through public-private partnerships, we have changed the physical shape of public housing by establishing positive incentives for resident self-sufficiency and comprehensive services that empower residents. We must take care not to make this program so prescriptive that developers and nonprofits find the program too difficult in which to participate.

Several years ago, I spoke at the opening ceremonies at Orchard Manor in Charleston, West Virginia. Orchard Manor is now a beautiful complex of townhouses, duplexes and apartments that began its transformation from a rundown public housing project with the removal of 230 out of the existing 360 units under a HUD HOPE VI demolition-only grant. Following the initial demolition, additional units were constructed using replacement housing funds until the complex reached its present state. Orchard Manor is a shining example of the importance and significance of using demolition-only grants as part of HOPE VI. The gentleman from Texas (Mr. NEUGEBAUER) has an amendment that will reinstate HUD's ability to fund demolition-only grants, and I urge its adoption so future successful projects, such as Orchard Manor, can receive that funding.

Finally, I plan to offer an amendment that I believe is a commonsense approach to green building requirements outlined in this legislation. I am concerned that Congress is attempting to mandate this program. Building green is a good thing. Mandating how to do it by a private building standard,

I believe there are other ways to do it, which is essentially the heart of my amendment.

Specifically, the green building requirements in the bill could lead to fewer affordable housing units being built. My amendment still requires minimum green building standards, but it directs the Secretary to select an appropriate green building rating system standard or code that addresses environmental soundness but leaves that flexibility for the Secretary to determine other criteria as appropriate.

We are currently experiencing rapid development in our definition of what constitutes a legitimate "green building standard" through the competition of differing ideas. This competition is a healthy one, and we should not cut short through a hasty endorsement of one of the competing proprietary standards as our definition.

In closing, the HOPE VI program is not a cure-all for the rehabilitation and capital improvement needs of public housing units. However, this House has the opportunity with this bill, through several amendments, to further develop a program that rehabilitates our public housing into affordable, mixed-income communities.

I reserve the balance of my time.

Ms. WATERS. Madam Chairman, I yield 6 minutes to Mr. BARNEY FRANK of Massachusetts, the chairman of the Committee on Financial Services.

Mr. FRANK of Massachusetts. I thank the gentlewoman who chairs the Housing Subcommittee for the time and for her very creative and diligent work on this bill and others. And I also want to acknowledge our new ranking member of the Housing Subcommittee, the gentlewoman from West Virginia.

Let me begin by noting that obviously in the parliamentary forum we focus on areas of difference. Members should note how small those are relatively in the context of this bill. This is a significant rewrite of the HOPE VI program in which there was not a lot of objection. In fact, I think every amendment but one that was offered was made in order. I disagree with several of the amendments, but I do want to stress the commonality of reform that is in here as we go forward.

There are two basic areas of difference. Two amendments on the other side of the aisle from the two gentlemen from Texas would reduce the requirement that with Federal money we replace low-income units that we destroy. Yes, there are low-income units that should be eliminated as they now exist, but that does not mean that the total number of housing units available for lower-income people ought to be diminished as a conscious Federal policy. And the amendments of my two colleagues from Texas would do that.

The Sessions amendment would allow the Federal Government to give people money simply to tear down all of the houses that poor people live in in a particular area on the grounds that those weren't very nice houses. No doubt in

many cases they are not nice houses, but the poor people who live in those houses didn't decide voluntarily to live in bad housing as opposed to nice housing. They had nowhere else to go. And if you tear down where they now are and build zero in its place, you have exacerbated the housing crisis.

Similarly, the amendment of the gentleman from Texas (Mr. NEUGEBAUER) would diminish our capacity. We say if you tear them down, you have to replace them. You don't replace them in the same place. You can do it in a much broader area with more flexibility. You have 4½ years to replace the ones you have torn down and may go to the Secretary of HUD and get a waiver, say there is a court order, there is this land shortage. Some of these were, in fact, so useless. There are a lot of reasons you can go to the Secretary of HUD. So we are not saying that the one-for-one has to be followed in every case. We do say that should be the standard.

Here is the problem with the Neugebauer amendment. He says the housing authorities only have to replace units that they tear down that were occupied. Most people who run housing authorities are diligent, hard-working people in difficult circumstances, but there is incompetence in some housing authorities. People who have incompetently been unable to rent housing for one reason or another shouldn't be rewarded by then being allowed to tear that housing down.

In other words, if housing authorities, who have the obligation to use the money available to house people, refuse to do that or are unable to do that, we should not reward them by saying then you don't have to build those. And there will be places where people don't like poor people living in their community, and the political leadership of that community could then order the housing authority to leave some of those units vacant, and then we will apply for a HOPE VI grant and we will be able to replace far fewer because we will be rewarded for leaving them vacant.

The gentlewoman from West Virginia's amendment, and again there is some common agreement that we should go towards encouraging green building, but here is the difference. I know the homebuilders say this is bad for them, but understand, this is a Federal program with Federal money. We are not talking here about imposing on private-sector developers any requirement whatsoever to do energy efficiency. We are here as the landlord, not as the regulator.

What we are saying is that we are the Federal Government and we will set an example. We will take the money that we, the Federal Government, makes available, and hold ourselves to a high energy efficiency standard. If people think that is inappropriate and it is too expensive, they don't have to apply to come here. That leaves everyone in the private sector free to do as they wish.

Beyond that, one of the strongest advocates of this has been my colleague from Massachusetts (Mr. OLVER), the chairman of the Appropriations Subcommittee. He has to fund all of this, and he has to fund it going forward. We don't simply build the HOPE VI projects and walk away. We don't. The builders do. It is not their fault.

If I am the contractor to build the buildings, my obligation is completed the day I have done the building and gotten the money for it. But we, the Federal Government, then have to fund it on an ongoing basis. What we are saying is, as the landlord, we want to build it in a way that makes it energy efficient going forward.

We will take an up-front cost because, over time, over 20 and 30 and 40 years, we will reduce our operating budget. So we are being told that as the landlord we can't make the decision about how efficiently to use funds and how to say we will reduce costs going forward. So I would hope that the gentlewoman's amendment is defeated. It would take it from a mandatory to one factor among many.

We also have an argument about the standard. We do mention one standard. The homebuilders are wrong in their letter where they talk about the LEED standard. That is out of the bill in the manager's amendment.

□ 1100

On the green communities, we do mention the green community standard; but we explicitly give the Secretary of HUD the ability to propose another standard if it is equivalent in energy savings, and that's the key.

So the amendment of the gentlewoman from West Virginia (Mrs. CAPITO) makes this one factor among many, not a required factor, and everything we do with our money to be energy efficient.

And, secondly, she would allow a much weaker standard in many cases than ours does. So we allow flexibility, but flexibility as to how to achieve the goal of energy efficiency, not flexibility as to how much energy efficiency to offer.

I hope the bill, as essentially presented, or a couple of amendments I think are relatively noncontroversial, are accepted.

Mrs. CAPITO. I would like to respond just a little bit to the gentleman's comments on the amendment I'm going to put forward. I don't want the misunderstanding of the Members to think that my amendment would remove green building from any of the HOPE VI projects. It's a different philosophy in how we're putting forth the idea to meet green standards. And he clarified that. His is a mandatory. Mine is a flexible, one among many. But I do believe in the philosophy of building more green and more efficient buildings, we've got new technology coming online. Why tie ourselves to a certain standard?

At this point I would like to recognize Mr. GILCREST for 3 minutes, the gentleman from Maryland.

Mr. GILCREST. I'm not on the committee of jurisdiction where the HOPE project originated, but I'm interested in this issue because I was born in what would now be called a housing project, 62 years ago. It was a housing apartment complex built many decades ago, a few years before I was born, for young families, for soldiers serving in World War II and certainly then, for the baby boom generation, for military people coming home looking for places to live.

This place was called Cora Place. Now I still don't know to this day whether it was a K or a C, Cora Place. But it was a vast housing unit apartment complex for young families. I was born there 62 years ago, and there's still young families there. That place has still survived all these decades. It was built adequately. It was built with good construction techniques. It was built with good standards. It was not rebuilt. It was not demolished and rebuilt. It was built in a way, in a form, in a complex where it became a community, not an isolated pocket of poverty. It was built for a community. There are small businesses there. The standards of construction were fine. You don't waste heat. You don't waste water. You don't waste electricity. It was built for young American families. It was built for a community where there could be dignity, where there could be small businesses, where people could come together and exchange information and feel like they belonged. That's what we need to do today. That's what HOPE VI is all about. That's what this committee, in a bipartisan fashion, wants to pursue.

I also want to talk about one of the provisions in this bill called "green buildings and technical assistance." And I want to say that what this does to today's communities is what happened 62 years ago. We want to do it right the first time, not the second time. The Federal Government is not requiring one standard. The Federal Government, in this bill, is requiring a standard that is flexible so it can change and provide for new technology.

This is a standard that reduces and eliminates waste. It's a standard that promotes local businesses and local communities. It's a standard that provides adequate housing for those who otherwise would not have adequate housing. The high cost of housing has increased the high cost of renting, and the peripheral outside effect is that it has increased homelessness.

So HOPE VI goes a long way into eliminating that problem in our communities. It is not a mandate to comply with one standard. It does not, this text in this bill, create a monopoly. It does not require certification fees. You save way more energy, way more energy than up-front costs. And it uses standards of efficiency that are off-the-shelf technology. So I encourage my colleagues to vote for the bill.

Ms. WATERS. I yield to the gentleman from New Jersey, hardworking

member of our subcommittee, Congressman SIRES, 2 minutes.

Mr. SIRES. Madam Chairman, I rise in support of H.R. 3524, the HOPE VI Improvement Reauthorization Act of 2007.

As a former mayor in New Jersey, I have a unique perspective of this program. Its impact on local communities is real and is positive. Beyond the obvious impact of cleaning up distressed public housing units and providing people with housing, HOPE VI generates economic activity in the community. New housing brings new residents. New residents bring new infrastructure and spurs new businesses. These new residents shop and dine and invest in their community. The new businesses hire employees, which has a positive impact on the economy.

The benefits of this program do not end there. Research indicates that HOPE VI increases per capita income of residents and decreases unemployment rates. That same research shows that this program decreases the number of households receiving public assistance and decreases violent crimes in surrounding communities.

A reauthorization of this HOPE VI is long overdue. I applaud the efforts of the chairman and Chairwoman WATERS for bringing this to the floor today.

And I will share a story. I recently visited in Elizabeth, New Jersey, part of my district, a program of HOPE VI. I knew that area before, and the transformation is beyond. As I went there the other day, a new restaurant opened up. People were hired to work in that restaurant. So this program does work. Is it perfect? Nothing is perfect, but it certainly works. And I hope that everybody supports this.

Mrs. CAPITO. Madam Chairman, I would now like to yield 9 minutes to the ranking member of the full committee, Mr. BACHUS of Alabama.

Mr. BACHUS. Since HOPE VI, we've had a lot of success. I think the program is a success. How the program has been a success is not as simple as simply replacing units on-site. In fact, most of the residents of these housing projects have actually moved to other communities through vouchers. The main thing, I think, to remember is that it has eliminated some of the most dangerous and distressed public housing in the country and created livable, mixed-income communities; and that's very good.

To date, there have been over 200 HOPE VI grants, and to various housing agencies. Almost all of them have been a success. These grants have been used to fund public/private partnerships that have changed landscapes once populated by failed housing projects and crime-ridden neighborhoods into vibrant mixed-income, mixed-use communities, providing quality, affordable housing for those in need.

I think anybody on the Financial Services Committee who's attended these public hearings has heard the testimony of the living conditions that

these tenants in public housing were living under. High crime areas, vandalism, dilapidated conditions, paint peeling off, lead, plumbing that didn't work, electricity that didn't work, heating that was inadequate, areas where there was such a concentration of crime that many of the youth growing up in those communities really had no or very few role models.

In my home State of Alabama, there are several examples of projects where HOPE VI has made a tremendous difference. For example, Park Place is a 12-block section of downtown Birmingham that a HOPE VI grant has transformed into an attractive, mixed-income housing development. Not only has it decreased the concentration of low-income residents living in a crime-infested area with very few prospects of jobs, but it's also improved the surrounding communities. The surrounding communities, the property values were going down. It was more dangerous. And those areas have been improved. The commercial district downtown has improved. One of the stories that we need to realize is not only the improvement that we see in the community that was replaced or rehabilitated, but the community around it.

But most residents, if you track where they've gone, they have chosen, through vouchers, and a lot of them just by simply turning down housing assistance, they've moved to other communities, and they're doing quite well. They've moved to communities where they think there are better schools. The students of those residents who have actually moved and not returned, they're doing better, on the average, than those residents who chose to return.

In New Orleans, we actually found a lot of people chose not to go back to the original community because they did not trust the public housing authority. And that's one reason that we've tried to advocate not simply replacing these units on a one-by-one basis, and re-duplicating a bad situation.

The Tuxedo Court project in Birmingham is going to replace 488 obsolete units of aging buildings with 331 modern, for-purchase rental homes. All the residents who are not going to relocate there have been given vouchers, or if they qualify, public assistance, and many of them have chosen to move to communities across town.

Our vision, and I think the vision of both Democrats and Republicans on this committee, should be for the residents of those communities to better themselves and better their living conditions, their housing. It should be vibrant, mixed-use communities with good housing, safe streets, strong schools.

In a previous debate, I mentioned a public housing project in downtown Atlanta called East Lake. East Lake was so dangerous that the police refused to patrol it. And it's not alone. Children

slept in bathtubs or closets for fear of being hit by random gunfire.

A developer by the name of Tom Cousins proposed replacing this crime-ridden project, where there was very little hope for the residents, very little future for the youth, with a mixed-income community. And that's been done. Today, professionals, accountants, doctors, lawyers, people with good income, are living side by side with families still on subsidized and on public assistance. The end result is a sharp reduction in crime in East Lake. But the more important result is a sharp increase in the level of academic achievement and success among the youth living in that community.

Now, for all the good, we are concerned about this bill. First of all, it eliminates the Main Street Revitalization program, which was for the benefit of smaller communities.

Mr. FRANK of Massachusetts. Madam Chairman, will the gentleman yield?

Mr. BACHUS. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. As the gentleman may know, an amendment is going to be offered to restore that, and I agree with the gentleman that that amendment should be accepted.

Mr. BACHUS. I thank the chairman for that.

Another problem that we have with it is eliminating the demolition-only grants, because on certain occasions we feel like public housing, there may be adequate housing other places, or vouchers or a better system. But I think one of the main causes of concerns we have, and the gentlelady from West Virginia, is the green requirements. While some of the provisions have merit, we believe that they have, number one, the unintended result of reducing the number of affordable housing units that can actually be constructed under HOPE VI.

In fact, I have a letter I would like to introduce from the homebuilders, but also a coalition of National Affordable Housing Management Association. And basically what they say here is that the additional cost burdens of these particular green compliances will greatly discourage the development of these projects and drive up the cost substantially.

JANUARY 14, 2008.

Hon. BARNEY FRANK,
*Chairman, Committee on Financial Services,
House of Representatives, Washington, DC.*

Hon. MAXINE WATERS,
Chair, Subcommittee on Housing and Community Opportunity, Committee on Financial Services, House of Representatives, Washington, DC.

Hon. SPENCER BACHUS,
Ranking Member, Committee on Financial Services, House of Representatives, Washington, DC.

Hon. SHELLEY MOORE CAPITO,
Ranking Member, Subcommittee on Housing and Community Opportunity, Committee on Financial Services, House of Representatives, Washington, DC.

DEAR COMMITTEE LEADERS: The undersigned organizations, who work collectively

in support of affordable housing and promoting sustainability in our nation's housing stock, are writing to express our opposition to H.R. 3524, The HOPE VI Improvement and Reauthorization Act, in its current form. We do appreciate that the forthcoming Manager's amendment will make several important improvements to the bill. For example, we support allowing HUD to grant a waiver to the one-for-one replacement provision under certain circumstances. However, we suggest that HUD also should be able to provide waivers related to funding realities. If one-for-one replacement renders a deal infeasible, there should be enough flexibility to waive that provision. We also believe that extending the period in which all replacement units must be provided after demolition has been completed from 12 to 36 months is very sensible. HOPE VI projects must contend with many variables, from weather conditions, securing local approvals and working extensively with tenant groups. All of these factors can increase construction periods beyond what otherwise might be considered normal.

However, while our organizations have long-supported this important housing program, there are several provisions in the bill which we believe are so onerous that private developers may no longer be able to participate, jeopardizing the very existence of the program. Specifically, our main objection is that the legislation will unfairly and unnecessarily drive up development costs by mandating compliance with privately developed green building rating systems. The additional cost burdens for green compliance adds further impediments to an already complicated financing structure for HOPE VI projects and could greatly discourage developers from undertaking future projects. In addition, there are provisions related to the occupancy of HOPE VI projects that are unclear and could be interpreted to prevent owners from instituting sensible eligibility standards.

GREEN BUILDING MANDATE

Our members are committed to working on increasing the sustainability of affordable housing, as well as keeping housing affordable in all markets. We believe that mandatory green requirements in the HOPE VI program will have unintended consequences that far outweigh any sustainability gains. Dramatic reductions in additional HOPE VI projects is a very real possibility because of increased costs that developers would have to finance based on the proposed provisions in the bill. There is a limited amount of HOPE VI funding, and a developer's ability to leverage a significant amount of additional financing is limited. In addition, total development costs (TDC) are capped. Unless TDCs are allowed to increase (or alternatively, the costs of complying with the green building requirements are excluded from TDC), the developers may be forced to scrimp on other important aspects of these developments to pay for costly green components. Decisions on what aspects of green development can be afforded in these properties should be left to the developers and their partner public housing agencies. HUD has recognized this as a practicable approach, as demonstrated by its implementation of green building incentives in the Mark-to-Market program.

Further, the specific reference to only one green rating system will stifle innovation and technology advancement in all aspects of green building. During a time when green building is growing exponentially and programs are competing to be the "greenest," Congress should not be codifying one inflexible benchmark that cannot adapt to future sustainability needs. Congress should not be

using the HOPE VI program to pick winners and losers in the green building arena.

Keeping green building as flexible and competitive as possible reaps the greatest environmental and economic rewards. Mandating a specific green building requirement for HOPE VI is short-sighted, overly restrictive and costly and is a disservice to community affordable housing needs. Sustainable green design for all housing markets should be protected from government mandates and rigid statutory benchmarks. Green building means something different in every climate zone, just as every market has differing demands for affordable housing.

It is important to understand that opposing a green building mandate in no way signals opposition to sustainability or environmental conservation. Green building should not be driven to the lowest common denominator or serve as a deterrent for development of these vital housing projects. Opposing the green building requirements in this bill demonstrates awareness that green building is an important variable that needs to be incorporated into HOPE VI in a manner that is functional, flexible, and encourages more energy and resource-efficient construction in the future.

ELIGIBILITY PROVISIONS

The Limitation on Exclusion provision (Section 7(m)(2)) could be interpreted to place limits on the public housing agencies' (PHAs) ability to establish reasonable eligibility criteria for occupancy in the new HOPE VI development. The provision says that replacement housing under a HOPE VI plan must be subject to the same policies, practices, standards, and criteria regarding waiting lists, tenant screening (including screening criteria such as credit checks), and occupancy that apply to other housing owned, managed or assisted by the PHA.

However, the provision goes on to say that a household cannot be excluded from the HOPE VI development, except to the extent specifically provided by other provisions of Federal law (e.g., relating to safety and security in public and assisted housing; ineligibility of drug criminals, illegal drug users, alcohol abusers and dangerous sex offenders; as well as preferences for the elderly and disabled; and persons convicted of methamphetamine offenses). This seems to preclude PHAs from screening for credit worthiness or other typical screening criteria.

We support holding all households to the same standards. We note that HUD's Housing Choice Voucher Handbook encourages PHAs and owners to adopt screening policies that take into consideration tenancy history related to payment of rent and utility bills; caring for a unit and premises; respecting the rights of others to the peaceful enjoyment of their housing; drug-related criminal activity or other criminal activity that is a threat to life, safety or property of others and compliance with other essential conditions of tenancy. The proposed provision in H.R. 3524 could be interpreted to undermine HUD's existing policies and create an unfair disadvantage to other eligible tenants who wish to move into a HOPE VI property. Further, it appears that the bill may provide a de facto preference to applicants that have been released from a prison or other correctional facility. It is the responsibility of the owner/landlord to ensure a safe environment for all residents, and such a preference may preclude their ability to honor that responsibility.

The owners of HOPE VI developments must be able to implement good business practices to attract investors and lenders. Otherwise, the developments will be viewed as too risky, and the developer's financing prospects will be in jeopardy. We suggest

that these provisions be clarified to ensure that PHAs can continue to set fair and reasonable screening and eligibility standards that are applied to all households.

OTHER

We believe that the provision eliminating HUD's ability to award demolition grants should be revisited. There may be circumstances under which a demolition only is warranted. HUD and PHAs should be allowed to retain this current authority.

SUMMARY

Our organizations are committed to furthering the sustainability of affordable housing and believe that the success of these efforts lies in the ability of the industry to take advantage of the innovations that are constantly occurring in the market. The provisions in H.R. 3524, The HOPE VI Improvement and Reauthorization Act, as currently written, will impede these efforts by mandating the use of one specific system. In addition, owners of HOPE VI properties must be able to establish reasonable and workable occupancy policies that are fair to all prospective tenants in HOPE VI communities.

Our organizations stand ready to work with the Committee to craft an effective and appropriate way to address green building and eligibility standards within the HOPE VI program. Thank you for your consideration of our views.

Institute of Real Estate Management.
National Affordable Housing Management Association.
National Apartment Association.
National Association of Home Builders.
National Multi Housing Council.

More important, and let me close by saying this, and this is a serious problem with this bill, I have a letter from the United Brotherhood of Carpenters and Joiners of America. They say that the standards we're using in this bill, let me quote them:

"If a builder wants to use wood and receive LEED certification," that's the program we're using, "they are largely forced to use wood products grown and manufactured overseas."

□ 1115

"This puts American workers and American products at a competitive disadvantage."

UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA,

Washington, DC, January 11, 2008.

Hon. BARNEY FRANK,
Chairman, Committee on Financial Services,
House of Representatives, Washington, DC.

Hon. MAXINE WATERS,
Chairman, Subcommittee on Housing and Community Development, Committee on Financial Services, House of Representatives,
Washington, DC.

Hon. SPENCER BACHUS,
Ranking Member, Committee on Financial Services, House of Representatives, Washington, DC.

Hon. SHELLEY MOORE CAPITO,
Ranking Member, Subcommittee on Housing and Community Development Committee on Financial Services, House of Representatives,
Washington, DC.

DEAR CHAIRMEN FRANK AND WATERS, AND RANKING MEMBERS BACHUS AND CAPITO: On behalf of the United Brotherhood of Carpenters and Joiners of America, I am writing to express our concerns with provisions of H.R. 3524 that would require non-residential construction in HOPE VI grant projects to meet the United States Green Building

Council's Leadership in Energy and Environmental Design (LEED) rating criteria.

For the last four years, the Carpenters have had a great interest in green building legislation as it affects both parts of our union—the part that constructs buildings and the part that harvests and manufactures wood products that are used in them. Therefore, we are strong supporters of green building, but want to ensure that building "green" does not result in "pink" slips for our members.

Over this time, we have found a number of important flaws in the LEED system that we believe makes it unsatisfactory for the marketplace and should not be the only standard referenced in legislation.

Our primary concern is LEED's failure to recognize all credible, sustainable forestry certification programs in its certified wood credit. LEED only provides credit to builders using forest products certified by the Forest Stewardship Council (FSC). No credits are awarded for wood products produced by other companies independently third party certified to the Sustainable Forestry Initiative (SFI) Program standard or the American Tree Farm System, the two largest sustainable forest management systems in the United States. These two systems account for over 90 million acres of forestland, yet do not qualify for points under LEED. Therefore, if a builder wants to use wood and receive LEED certification, they are largely forced to use wood products grown or manufactured overseas. This puts American workers and American products at a competitive disadvantage.

LEED also discriminates against wood compared to other imported building products. LEED credits builders for using "rapidly renewable materials," which are defined as products originating from plants harvested in a 10-year cycle. As you might expect, construction lumber cannot earn this credit since it takes more than ten years for a tree to grow to a usable size and diameter. Instead, if a builder uses exotic crops such as imported bamboo, they can earn the credit.

As a result of these flaws, we have actively supported other green building systems that are inclusive in regard to the use of wood. One system that we have supported at the national, state and local levels is the Green Building Initiative's Green Globes program. Unlike LEED, it recognizes all the major sustainable forestry programs used in the United States and does not put wood at a disadvantage compared to other building products. Also unlike LEED, Green Globes takes into account the concept of life-cycle analysis, or the cost to operate the building over time.

As a result, Green Globes has been increasingly recognized by federal agencies and state governments. At the federal level, it has been recognized by the Department of Health and Human Services, the Department of the Interior and the Environmental Protection Agency. In addition, 11 states have written Green Globes into their state green building statutes.

Therefore, we request that the legislation be modified in order to specifically include other standards, such as Green Globes. Should any amendments be offered to create a process that gives the government the opportunity to review and select a standard, we request that language be included that gives all eligible and viable green building standards equal consideration and ability to participate in the process. We believe that with these changes, we will produce a piece of legislation that meets all of the legislation's goals.

Sincerely,

DOUGLAS J. MCCARRON,
General President.

Number 1, under the standards you've adopted, we won't be using wood, when it's one of our greatest renewable resources. We won't be using wood. So you will be putting a lot of carpenters and laborers and joiners out of work, the framers.

But second, if you do use wood, you will have to import that wood. So, as an article in *Slate* magazine said, and it's the reason the University of Michigan in one of their projects is trying to decide whether they want to use this LEED program, LEED, this article in *Slate* magazine actually pointed out that you can put up a bicycle rack and you get the same credit as if you used an energy efficient heating system. That's wrong.

Ms. WATERS. Madam Chairman, to correct that information, I yield 30 seconds to the chairman, Mr. FRANK.

Mr. FRANK of Massachusetts. The gentleman from Alabama correctly quoted the carpenters' letter. The manager's amendment responds to that. The manager's amendment, which we are now debating, removes reference to the leadership and energy and environmental design. So the objection raised by the carpenters we thought had some validity to it, and the manager's amendment takes care of it.

So there is no reference to that. So two of the points the gentleman made we agree with, and we're correcting, restoring main street and removing any reference to LEED. There will be other differences, but I did want to acknowledge this is an example of how we're trying to work together.

Mr. BACHUS. Madam Chairman, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from Alabama.

Mr. BACHUS. Would you continue to work with us to make sure that, in fact, is possible?

Mr. FRANK of Massachusetts. Yes.

Ms. WATERS. Madam Chairman, I yield to the gentlewoman from New York (Mrs. MALONEY) 2 minutes.

Mrs. MALONEY of New York. Madam Chairman, I thank the gentlewoman for her leadership and chairing this important subcommittee and her hard work on this bill, along with Chairman FRANK, and I rise in very strong support of the revitalization, reauthorization of an important program, HOPE VI.

This legislation will increase the annual authorization from \$100 million to \$800 million, and it is really a funding housing crisis, affordable housing crisis in our Nation. This funding and this program is desperately needed.

In New York City alone, over tens of thousands of people are on the waiting list for public housing. This bill requires that all public housing units proposed for demolition be replaced on a one-for-one basis and that any units demolished will be replaced within 36 months. This is tremendously important because people in public housing have no other place to go.

It adds additional tenant protections by requiring public housing agencies to

monitor and track all households affected by the HOPE VI revitalization program, as well as develop a relocation plan that provides comparable housing for all relocated residents.

In an effort to be better stewards of our environment, this bill requires all replacement housing and other structures part of the HOPE VI development to be built in accordance with flexible green building standards, and it's appropriate for the government to have high environmental standards. It will be more energy efficient in the future and, in the long run, will save taxpayers dollars.

This bill continues a really important program that revitalizes severely distressed public housing and transforms them into safe, livable communities. And since its creation, it has provided over 560 grants, and Congress has appropriated over \$6.6 billion in funding.

It has helped public housing authorities create relationships with the private sector and open up opportunities to bring partnerships that bring in much-needed resources into struggling communities.

For example, by 2004, 92 public housing authorities have used \$313 million capital funds to leverage over \$1 billion in private investment. These funds have been used to modernize and redevelop public housing.

With the crisis in safe, affordable housing we are seeing in our country, it is my hope that with our reauthorization of this important legislation we can continue the successes of this program.

I really urge my colleagues to support this program that is vitally needed.

Mrs. CAPITO. Madam Chairman, I yield the gentleman from Connecticut (Mr. SHAYS), who I mentioned in my opening statement had been very integral in reaching what I think is a very good bill, 3 minutes.

Mr. SHAYS. Madam Chairman, I thank the gentlewoman for yielding. I thank my colleagues on the other side of the aisle for bringing out this legislation and for their willingness to work on a bipartisan basis to get a good bill. And thank you for that.

I am a strong believer in the HOPE VI program because I've seen its unbelievable benefit to my district. We had Southfield Village public housing. We converted it into Southwood Square, with a \$26 million Federal grant, leveraging \$79 million to reach \$105 million. It has 330 units, 160 of low-income and 85 of market rental, but the unique thing is the 160 and the 85 are all the same units. They are really nice units, market rate units.

So, you may have someone paying market rate, and when they leave, the new person may be low-income. There's a guaranteed of the 330 units, 160 are low-income. It has actually a pool. It has a workout area, and it has some wealthy people staying there. They work at successful businesses in the greater Stamford community.

So young kids who have very little income when they see someone getting into a BMW, it's not for a drug deal; it's to go to work where they are paid well. When young children go to work out, what they hear discussed is how someone can make money legitimately.

It is not a place warehousing the poor, but having all our fellow Americans live together, black, white, Hispanic, minorities from all areas of the world, with people who have income, minorities as well who have income and those who don't. It is an incredible thing to see our country come together under a HOPE VI program.

And besides the 85 units of market rental, you have 15 of affordable home ownership. These are townhouses, four-story buildings. And then we have Fairfield Court, \$19 million of Federal funds leveraging \$80 million, 272 units, 141 of low-income and 131 of affordable rental, market rental and affordable home ownership.

What I see in the HOPE VI grant is a transformation not just of the physical outlay of a community and the upgrading of neighborhoods, but I'm seeing Americans come together, living like we think we should live, together, not separate.

I rise today in strong support of the reauthorization of the HOPE VI program. HOPE VI has transformed rundown housing projects into vibrant communities and changed the face of affordable housing throughout the country.

I am grateful to have worked on this reauthorization and am grateful for all of the hard work and collaboration of this Committee. Specifically, I would like to thank Chairwoman WATERS and Ranking Member CAPITO and their staff for their leadership on this important program.

The mixed income communities created through HOPE VI grants epitomize the power of public-private partnerships. This reauthorization represents a renewed commitment by the Federal Government to revitalize our Nation's most distressed public housing.

Since the creation of HOPE VI, public-private partnerships have leveraged significant commitments from private sector resources. For every dollar the Government commits to this revitalization effort, HOPE VI projects yield three to four in private funding.

In light of a serious shortage of affordable housing in Connecticut's Fourth District and throughout the Nation, it is imperative we encourage the utilization of all available resources to provide quality, safe, and affordable housing for our Nation's neediest citizens.

I have experienced first hand the transformation that HOPE VI grants are capable of making. We have two incredible HOPE VI sites in Stamford, and I wish Members and the administration could see that transformation. If they did, I doubt they would ever dream of eliminating this program.

Southfield Village received a \$26 million HOPE VI grant, which leveraged \$79 million in funds to create Southwood Square. The development features 330 units, 160 of which are low-income public housing units, 85 are market rate units, and 15 are affordable homeownership units.

In 2004, Fairfield Court received a HOPE VI grant of \$19 million that will leverage \$80 million. This project will house 141 low-income

units and 131 affordable rental, market rate rental, and affordable homeownership units.

At these mixed-income communities, low-income families and those paying market rent live side-by-side, and have the opportunity to learn and grow from one another. They are safe places to live where children can grow and play together and where residents are involved in the planning and growth of their community.

When the Federal Government demonstrates its interest in improving the housing needs of low income families, the community responds. I call my colleagues today to reaffirm our commitment to this program, which has significantly expanded upon affordable housing options for families throughout the country.

Ms. WATERS. Madam Chairman, I yield such time as he may consume to the gentleman from Minnesota (Mr. ELLISON), a hardworking member of our committee.

Mr. ELLISON. Madam Chairman, let me start by thanking Chairman FRANK and Chairwoman WATERS for bringing this critical and much-needed legislation to the floor.

The HOPE VI program was developed as a result of recommendations by the National Commission on Severely Distressed Public Housing, which was charged with proposing a national action plan to eradicate severely distressed public housing. The commission recommended revitalization in three general areas: physical improvements, management improvements, and social and community services to address resident needs. As a result, the HOPE VI program was developed in 1993.

Grants are used by public housing authorities to fund capital costs of major rehabilitation, new construction and physical improvements, demolition of severely distressed public housing, acquisition of sites for off-site construction, and community and supportive service programs for residents. Any public housing authority that has severely distressed public housing units in its inventory is eligible to apply.

In each of the past 5 years, the Bush administration has proposed elimination of the HOPE VI program, requesting no money for this successful program, threatening to strand tens of thousands of low-income families and children to live in substandard public housing.

But the Congress, under both Republican and Democratic majorities, has continued to fund the program. In 2006, \$100 million was appropriated, and last month, \$100 million was included in the Omnibus Appropriations Act. This reauthorization of HOPE VI is long overdue.

In the Fifth Congressional District and in the City of Minneapolis alone, my local public housing authority has estimated that they need over \$205 million just to maintain 5,883 public housing units at only a fair condition. Again, let me repeat this. My district needs \$205 million to keep these public housing units from not falling below

basic standards. The backlog of units in desperate need of refurbishment and rehabilitation is a result of 7 long years of neglect of public infrastructure.

This is why I urge all of my colleagues to vote for this bill. By passing H.R. 3524, we move a step closer to recognizing the rights for all citizens.

Mrs. CAPITO. Madam Chairman, I yield 5 minutes to the gentleman from Texas (Mr. HENSARLING), a member of the Financial Services Committee.

Mr. HENSARLING. I thank the gentlewoman for yielding.

Madam Chairman, President Reagan once said that the nearest thing to eternal life on Earth is a Federal program, and I don't think there is any better case study than perhaps the HOPE VI program. If there was ever a program that cried out for termination, it's this one; termination so that the money used for this program can be returned to hardworking American families.

Many of us are acquainted with the history of the program, begun in 1992 with a very noble purpose of taking 86,000 units of severely distressed public housing and replacing them, demolishing them.

Well, guess what, Madam Chairman; it achieved its mission. But somewhere along the line we had this thing in Washington known as mission creep. What we should have done is probably given all the employees of the program a bonus, throw them a big party and say thank you for doing something good and achieving the mission of your particular program. But instead, somehow the program goes on and on and on.

Now, the Office of Management and Budget has said that this program is ineffective. If you look at their part rating of the Office of Management and Budget and start to study it, they ask very specific questions about the program, one of which is: Does the program address a specific and existing problem, interest or need? And the answer is no. The program has accomplished its primary goal to demolish 100,000 severely distressed public housing units by 2003.

Another question in the part rating of the Office of Management and Budget: Is the program designed so that it is not redundant or duplicative of any Federal, State, local or private effort? The answer again, no. HOPE VI is one of a select number of tools available to housing authorities to revitalize distressed or obsolete public housing.

So again, number one, we had a program that accomplished its original mission. We now have a program that is duplicative of other housing programs. And I know there are many who come to the floor who are very sincere and passionate in their belief that the only way to help low-income people is through government housing programs. I have a different philosophy. I have a different set of principles.

We already have 80-plus Federal housing programs, and the budget for

Federal housing programs has almost doubled in the last 10 years, from \$15.4 billion to more than \$30 billion now.

And this percentage increase, almost double, is a rate, Madam Chairman, a rate of increase that is higher than veterans spending, education spending, energy spending, transportation spending, international affairs spending, and even Social Security over that same time period.

So, relative to our budget priorities, it's very hard to argue that somehow Federal housing programs have been shortchanged. I fear that HOPE VI simply compounds failure. We take failed housing projects, we start to demolish them, and then we fail to get rid of the program.

Again, I understand that some people and many on the other side of the aisle do not agree with my vision. They believe the only way to help is through other government programs, and if so, I would ask this, and I'm sorry that this didn't happen in committee.

I offered an amendment to transfer this money to the section 8 program. I think there are a number of challenges with section 8, but I certainly see it as a superior form of government assistance than these other programs.

□ 1130

And Member after Member on the other side of the aisle has complained that we have insufficient resources for section 8. Well, here's an opportunity. Now, unfortunately, that amendment was not ruled in order. I hope that one day maybe I can work with the majority in finding ways to take less effective government housing programs and perhaps transfer funds to more effective housing programs.

I also find it quite curious that many Members on the other side of the aisle complained about this program in hearings and in markups. So they complained about it and then sit here and reauthorize it.

And there are two other reasons that we should not support this. One is, it puts us on a trajectory to help double-spending to the next generation. Now, sometimes we have to make some tough choices. We are going to double taxes on the next generation if we don't do something about spending today.

And we should never forget that the best housing program is a job. And the greatest threat to jobs today is the threatened tax increases of the majority. That's where we ought to get our affordable housing.

Ms. WATERS. Madam Chairman, this would be an excellent time for me to call on the major cosponsor of this bill, someone who has been consistently involved with HOPE VI ever since it was originated.

I yield 3 minutes to the gentleman from North Carolina, Mr. MEL WATT.

Mr. WATT. I thank the Chair of the subcommittee for moving me up in the order so that I can address some of the misconceptions that we've just heard.

I'm holding in my hand a report that was authored, in fact one-third of the report that was authored, by HUD in 1996, about 4 or 5 years into the HOPE VI program. And if we thought that this program was only about demolishing distressed public housing, as my colleague who just spoke would have us believe, we should read the report. It did identify 86,000 severely distressed public housing units that needed to be demolished and replaced in a different kind of setting. It went on to say that we needed to address the needs of the residents. And the commission proposed providing increased funding for supportive services, creating a national system to coordinate social and supportive services to enable residents to become self-sufficient, and devising a system that requires public housing agencies to solicit resident input into the solutions.

And the things we have been complaining about, the gentleman is correct, we have been complaining about the HOPE VI program because it has only been about demolishing public housing and not doing any of the services that were originally contemplated by the program. And the amendments in this reauthorization bill are designed to attack those very shortcomings and the original objectives that HOPE VI was designed to accomplish. Number one, not only demolition, but one-for-one replacement is in this bill; input by residents is in this bill; supportive services, increased funding is in this bill.

So the gentleman is absolutely correct: those of us who have been complaining about the program acknowledge that it has not accomplished the objectives that were set for the programs by Republicans, not Democrats, to replace and eliminate severely distressed housing and to provide the kind of support that is necessary for residents of public housing to be successful. That's exactly what this bill does, and I encourage support for the bill.

Mrs. CAPITO. Madam Chairman, I have no further speakers, and I would like to reserve the balance of my time.

Ms. WATERS. I yield 2 minutes to the gentleman from Texas, a member of the subcommittee who has never missed a meeting, Congressman AL GREEN.

Mr. AL GREEN of Texas. Thank you, Madam Chairman. I thank you, the ranking member, and all of the other Members on the other side, Members on both sides. This is a bipartisan effort.

Madam Chairman, please let me dispel any notion that there is a surplus of affordable available housing in this country. In fact, in the State of Texas alone, we have a need for 437,000 units, and we are third in the Nation. New York is number two, with 528,000 units needed; California, 830,000 units. There is no surplus of available affordable housing. But we're talking about the public housing units, and there is no surplus of available public housing units.

Let me share a brief vignette with you. I had the privilege and honor, the pre-eminent privilege, if you will, of traveling to New Orleans with our subcommittee Chair, the Honorable MAXINE WATERS. While we were there, we visited the public housing units, and we actually talked to tenants. There were tenants who were pleading with us to give them the opportunity to return to what they called their homes. These were not just pieces of trash to them. These were places where they have memories, where they had hopes, where they had aspirations. And they were being denied access to property that they believed that they could live in. Now, was it to the standard that you and I might want to live in? No. To the standards of those who live in the sweets of life, they were not; but to the standards of those who live in the streets of life, they were above standard. If you've got a choice of living on the streets or living in units that are not suitable for those who have much, you will choose to live in the units that are available to you.

I regret that some of us seem to think that the best way to help people who are living in conditions that we find unacceptable is to cause them to have no place to live at all. Now, there is something wrong with that kind of thinking. And at some point, we've got to consider what the people need, and not see these as projects. I beg that we support this legislation. Keep people off the streets of life.

Mrs. CAPITO. I would like to recognize the ranking member, the gentleman from Alabama (Mr. BACHUS), for 3 minutes.

Mr. BACHUS. Madam Chairman, Members of this body, let me say that there is a difference of opinion on our side and different opinions on our side. But I do believe that one thing ought to be clarified, and I believe I share this opinion with all my colleagues on this side. We believe the purpose of HOPE VI is not simply to replace a failed housing project model with another public housing project or community. We believe the purpose that all of us have, Republicans and Democrats, is to help those families in those communities have a better life and a better future, and hope.

As I think the Urban Institute and others have found, the majority of those residents, and I don't dispute what the gentleman from Texas said, there are and there will be residents that will say I want to go back to that community. But, hopefully, and one thing HOPE VI does, that community is replaced by a much better community, a much better mixed-income community where there is more hope, there is less crime, there is less poverty, and there are residents in those communities that can actually help those children get jobs. But most, and every study that has looked at this, and maybe someone on your side will correct me, most, if not every, study has shown that the average resident of that

community is going to choose not to come back to that same location, but to relocate to another area because in most cases the area they would relocate to is closer to their job, it's closer to a school, or if not a school, it's closer to a higher performing school, and they choose, through a voucher, to relocate. In fact, a substantial minority of those residents relocate to another community, get a better job, get a better income, and move totally off public assistance.

There are a lot of fond memories in those communities, but there are a lot of people trapped in a circle of poverty in those communities and surrounded by criminal elements. And when we do this one-for-one model, I believe we are taking resources where we could give people the choice of relocating elsewhere and reestablishing what we had that we tore down.

Ms. WATERS. Madam Chairman, I yield 2 minutes to the gentlelady from Wisconsin, who has been so much involved in this issue, GWEN MOORE.

Ms. MOORE of Wisconsin. Thank you, Madam Chairman. HOPE VI is not just a tremendously successful housing program; it's a program that revitalizes entire communities.

When you have an area with thousands of people in dense public housing communities, it's essential that we disperse poverty and create communities within mixed-income groups. HOPE VI has had enormous success at doing just that.

I would like to remind my colleagues that HOPE VI is not some liberal Democrat program; it was created under a Republican administration, the previous President Bush. However, for the past 5 years, this President Bush has proposed ending this vital program, claiming that it has already accomplished its goal. Clearly, he's mistaken.

Secondly, I just want to remind the body that we're experiencing a mortgage crisis of gargantuan, indeed, global proportions. The bad actors in the mortgage market have found fertile ground among families who have yearned for decent housing. They have preyed upon these families with these awful mortgage products because of the dearth of affordable rental units. HOPE VI is an answer to prayer for these families who may not be able to achieve homeownership, but deserve decent and affordable housing.

Mrs. CAPITO. May I inquire as to how much time I have remaining.

The CHAIRMAN. The gentlewoman from West Virginia has 2 minutes remaining.

Ms. WATERS. I would like to inquire as to how much time I have left, Madam Chairman.

The CHAIRMAN. The gentlewoman from California has 4 minutes remaining.

Ms. WATERS. Madam Chairman, I yield 1 minute to the gentleman from New Jersey, Congressman BILL PASCRELL.

Mr. PASCRELL. I rise in strong support of H.R. 3524.

I can provide testimony here. I was a mayor. In fact, in the final years before I came to the Congress of the United States, we built HOPE VI housing. It was successful. And the community decided what that housing would be like and the community decided what the standards would be of living. In the same area, in the same area that I've just heard we should move people out of, you want to lift up. That's what hope is all about. That's what HOPE VI is all about.

So I can testify to the success. Come to Paterson, New Jersey, and see how HOPE VI operates. And we want to provide other areas of buildings that are falling down. Why should tenants have to live in those other buildings in that same situation? We want to give hope to those people as well, to provide better housing.

HOPE VI grants are used by public housing authorities to fund major rehab and demolition. I urge everyone to vote for this legislation.

Ms. WATERS. I yield 1 minute to the gentleman from Illinois, Mr. DANNY DAVIS.

Mr. DAVIS of Illinois. Madam Chairman, I represent one of the largest concentrations of public housing in the United States of America in the third largest city. And I can assure you that the mayor of the City of Chicago strongly supports HOPE VI. The Governor of Illinois strongly supports HOPE VI. Every member of our delegation from the City of Chicago strongly supports HOPE VI. It gives hope to those individuals who are homeless, who have given up, who are left out.

I strongly urge passage of this legislation. And let's keep the hope in it.

□ 1145

Ms. WATERS. Madam Chairman, I yield 1 minute to a gentleman who has been very much involved in this issue, Congressman ELLIJAH CUMMINGS.

Mr. CUMMINGS. I want to thank the gentlewoman for yielding and for her leadership and to you, Chairman FRANK, and all of the members of the committee.

Madam Chairman, this is a very important piece of legislation involving what we have, HOPE VI projects. And I just want to correct Mr. BACHUS. Two of those projects are within six blocks of my house, so I deal with these folks every day. I talk to them. I wish we had more HOPE VI projects because I will never forget when we opened one of them. The area had been drug infested, a highrise, and when we opened it up, literally a lot of residents came back and they were crying because they were going to move in. There were others who couldn't move in because we did not have enough housing. I will never forget that day. I said this is like having Andy of Mayberry in the middle of our community. And it is. Children are able to play. Men staying out late at night playing checkers. People can leave their bikes out. A wonderful life and giving hope. That's what it's all about.

So I want to thank Ms. WATERS and Chairman FRANK for including in this legislation, as part of their manager's amendment, certain items that we included. And I want to thank you very much for your leadership.

Mrs. CAPITO. Madam Chairman, I have no further requests for time, and I continue to reserve the balance of my time.

Ms. WATERS. Madam Chairman, I would like to inquire how much time I have left.

The CHAIRMAN. The gentlewoman has 1 minute remaining.

Ms. WATERS. I will yield that 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentlewoman's courtesy and her leadership on this.

Madam Chairman, I come from a community that took almost 500 units of World War II-era public housing and replaced it with almost 1,000 units, including 230 that were unrestricted market rate. It was an anchor for revitalizing the community. It leveraged three-to-one investment from the private sector, and it was built according to environmentally sustainable standards.

I cannot say how strongly I support this legislation to be a blueprint for how HOPE VI can make a difference for public housing and community revitalization around America. I strongly urge support for this legislation and rejection of efforts to water it down. Use this model. Make it work. You will be proud.

Mrs. CAPITO. Madam Chairman, I would like to thank all the speakers for discussing what I think is a good program, HOPE VI. On this side of the aisle, even though the chairmen of the full committee and subcommittee have made great strides in terms of the manager's amendment in terms of answering some of our concerns, but we still have some concerns. And you are going to hear this through the amendment process, whether it's one-on-one replacement, demolition only, and my amendment on the green communities.

So I appreciate HOPE VI's successes. I think we have heard from a lot of Members who have had individual successes in their own districts. I reiterate the success in my district was from a demolition-only grant, and I've seen how the community can benefit and the housing conditions can improve and the quality of life improve at the same time.

Mr. CONYERS. Madam Chairman, I rise today in support of the passage of H.R. 3524, the "HOPE VI Improvement and Reauthorization Act of 2007." This bipartisan bill allows public housing agencies to continue to improve the lives of families in public housing through the revitalization of severely distressed public housing. Throughout America, there are tens of thousands of working families who are in desperate need of affordable housing, but are unable to obtain it, due to a shortage of sufficient public housing units. Passage of H.R. 3524 will dramatically im-

prove the lives of those from low and moderate incomes who are having difficulty finding decent and affordable housing.

In Detroit, there are scores of families who are on the public housing waiting list, and are in dire need of affordable housing. Many of these families are forced to stay in homeless shelters, sleep in expensive hotels, or stay with friends and relatives until they can find permanent housing. This bill will provide direct assistance to low-income individuals and families in Detroit who will now have access to more affordable housing units, given that cities and towns across America will have increased federal funding to construct affordable housing units.

H.R. 3524 also ensures that the HOPE VI program does not contribute to the loss of public housing. It requires public housing agencies replace any demolished public housing unit with another comparable unit. Furthermore, the legislation gives agencies flexibility in the location of replacement housing by allowing replacement units to be provided in on-site mixed-income housing developments; and in other areas where the public housing agency has jurisdiction.

One of the most important benefits of H.R. 3524 is that more Americans will receive expanded housing opportunities through ensuring that families are able to move back into replacement housing units by prohibiting unreasonably stringent rescreening policies and making residents who are otherwise eligible for public housing also eligible for a HOPE VI unit.

The bill also encourages resident involvement in the redevelopment planning phases for new affordable housing. This is a critically important provision because it will help ensure that communities impacted by housing redevelopment will have a say in where they are going to live. Also, H.R. 3524 requires the monitoring and tracking of displaced residents by requiring housing authorities to maintain current contact information for each affected household while the mixed-income community is being developed. It is also a progressive bill, in that it implements green building standards in order to provide long-term energy efficiency and savings.

Ms. NORTON. Madam Chairman, I am obliged to speak up on the HOPE VI bill before us today, particularly because of the District's track record has made this city a shining success story, the fourth largest recipient of HOPE VI funding in the Nation, and an innovative leader in HOPE VI projects spurred on by federal funds available until recently, and the District's success in obtaining HOPE VI grants. I have devoted considerable time and effort to help the city obtain these grants. The great success the city has had in the stiff, nationwide competition it has faced in seeking each grant it has won, greatly energized by its own efforts. Even now, the District of Columbia has a grant pending.

HOPE VI has been the functional equivalent of a federal government stamp of approval. The District provides a fabulous example of how a little government money can act as a magnet for private and nonprofit funds that otherwise would not be available. Having received over \$140 million in HOPE VI grants, the District has been able to maximize every grant dollar, leveraging the grant awards at a ratio of 1 to 7 to attract unusually large

amounts of public and private funds, \$740 million of non-government funding to five HOPE VI sites in the District.

A brief sampling of HOPE VI successes in the city illustrates the incredible economic impact that the grants have had. The H Street Barracks in Ward 6 is the hottest retail strip under HOPE VI. The District's first HOPE VI development, the Town Homes in Ward 6, not far from where we stand today, has been occupied by District residents for over eight years. In its prior life, the Town Homes was known as the Ellen Wilson Dwellings and stood abandoned for eight years, depressing the vibrancy of the surrounding community. However, a \$26 million HOPE VI grant, awarded in 1993, transformed the public housing units into 134 cooperative, mixed-income town homes, with 33 families at 0 percent to 24 percent of area median income, AMI, 34 families at 25 percent to 50 percent of AMI, and 67 families at 50 percent to 115 percent of AMI.

One of the most ambitious HOPE VI projects undertaken nationwide is transforming the Arthur Capper/Carrollburg Dwellings, a 23-acre 758-unit public housing complex near the Washington Navy Yard and the Southeast Federal Center, into a revitalized residential part of general Anacostia waterfront revitalization, one of the largest urban redevelopment areas in the country. The Arthur Capper/Carrollburg development is the first HOPE VI site in the country to provide one-for-one replacement of demolished public housing units. The \$34.9 million grant award has been leveraged to provide a total of over \$424 million for the creation of 1,562 rental and home ownership units, replacing the demolished units with 707 public housing units, 525 affordable rental units and 330 market rate homes for purchase, for a total of 1,562 new units, and additional office space, neighborhood retail space and a community center.

One of the best examples of how HOPE VI grants have helped DC communities is the lowest-income ward in the District of Columbia, Ward 8, where HOPE VI developments are transforming an entire ward. Ward 8 leads the city in housing starts and new rental housing. A Giant Food grocery store near the Henson Ridge HOPE VI development is the only supermarket in the ward and the largest in the region. The Henson Ridge HOPE VI across the street gave Giant an immediate customer base and now draws the entire ward.

HOPE VI has been nothing short of a veritable economic engine to drive the reinvigoration of entire communities. It would be a national tragedy for Congress to allow HOPE VI to expire rather than building on the success of the District and other cities. The investment by the government pales in comparison to the return generated. I strongly support H.R. 3524 to reauthorize the HOPE VI program for the next eight years with up to \$800 million dollars a year, and I urge my colleagues to do the same.

Mr. BISHOP of Georgia. Madam Chairman, I strongly support H.R. 3524, the HOPE VI Improvement and Reauthorization Act of 2007. As the name of this program suggests, the revitalization of distressed public housing brings hope to millions of Americans—the hope of living in a community that cherishes family values, the hope of enjoying a stable living environment, and the hope of moving out of poverty and toward self-sufficiency.

The HOPE VI program offers residents the ability to improve their housing opportunities by transforming severely distressed public housing into thriving mixed-income communities. The program has worked well since its inception in 1992 and I am pleased that the bill makes a number of significant improvements to HOPE VI to ensure that it is even stronger into the future. These changes include requiring full replacement for lost units and increased involvement of residents in planning the redevelopment.

Furthermore, HOPE VI promotes the efforts of Congress in supporting a cleaner environment by requiring compliance with green building standards.

In Georgia's Second Congressional District, we have had resounding success with the HOPE VI program. The Housing Authority of Columbus, Georgia was awarded a \$20 million HOPE VI grant in 2002. The revitalization plan called for the demolition of 510 units of severely distressed public housing units. At the time of grant award 380 families lived at Peabody.

The end result is a new mixed-income community (Ashley Station), set on a beautifully designed site which incorporates new housing, new parks, and new retail and street improvements. In addition, connections were made that improved access to job training, employment opportunities, education, health care, and other supportive services. HOPE VI allowed for a unique public-private collaboration and more than \$5,800,000 in "in-kind" services were received by the HOPE VI residents.

Invigorating the HOPE VI program will strengthen families, reduce poverty, and rejuvenate the spirit of American communities throughout the Nation. The program is more than just "bricks and mortar." It will make the American dream a reality for millions of low-income people. I commend my colleagues for bringing this vital piece of legislation to the House floor and I urge their strong support.

Ms. JACKSON-LEE of Texas. Madam Chairman, I rise today in support of H.R. 3524, to reauthorize the "HOPE VI Improvement and Reauthorization Act of 2007," introduced by my distinguished colleague from California, Representative MAXINE WATERS. This important legislation will reauthorize and make changes to the HOPE VI public housing revitalization program. I would like to thank Congresswoman WATERS for her consistent and dedicated work on this important issue, as well as to commend Chairman FRANK for his leadership in bringing this bill to the floor today.

Madam Chairman, this legislation reauthorizes, with important changes, the HOPE VI public housing revitalization program. Among other provisions, it provides for the retention of public housing units, protects residents from disruptions resulting from the grant, increases resident involvement, and improves the efficiency and expediency of construction. The HOPE VI program, created in 1992, has worked to improve the Nation's most dilapidated public housing units by providing much needed resources to public housing agencies. These funds have directly benefited countless Americans, particularly the elderly and those with disabilities, partnering with local agencies to improve conditions in public housing units and communities.

In December, we were reminded of the existing problems in our Nation's public housing

systems when protesters in New Orleans skirmished with police in New Orleans, as the City Council unanimously voted to destroy 4,500 public housing units. I was appalled that, in the holiday season, the citizens of New Orleans and survivors of Hurricane Katrina were put in a position in which they had to fight to keep a roof over their heads. The residents of New Orleans who saw their homes and livelihoods destroyed by natural disaster two years ago are far from alone in their need for improved public housing; citizens across the country are feeling the acute need for the housing reform delivered by this bill.

My home city of Houston faces unique challenges and opportunities. One of the most important of which is dealing with the impact of taking in nearly 200,000 Hurricane Katrina evacuees, an unprecedented act of generosity for which Houston is famous. According to the 2000 U.S. Census, nearly 2 million people live in Houston, the fourth largest city in America. When the metropolitan area is taken into account, the population swells to approximately 5.2 million. The Houston metropolitan grew in population by more than 950,000 people between 1990 and 2000.

Madam Chairman, according to the American Community Survey (ACS) conducted by the Census Bureau, there are 859,245 total housing units in the City of Houston, of which 748,323 are occupied—347,865 are occupied by owners (2.5 percent vacancy rate) and 400,458 by renters (11.8 percent vacancy rate). Though the average cost of housing and rent in Houston is low by national standards, Houston residents still face a problem when it comes to affordable housing. According to a 2006 study by the Harvard Joint Center for Housing Studies, 28.4 percent of Houston homeowners and 51 percent of renters in the Houston metropolitan area spend more than 30 percent of their monthly pre-tax income on housing costs. This makes them "housing-cost burdened" as defined by the Department of Housing and Urban Development (HUD).

Fully a quarter of Houston renters are "severely housing-cost burdened," meaning they pay more than 50 percent of their income in housing costs. The National Low Income Housing Coalition, in its report *Out of Reach* in 2006, estimates that in order to afford a 2-bedroom apartment at the FMR, a renter would have to earn \$14.77 an hour, more than two and on-half times the minimum wage.

The affordability crisis is most pronounced among Houston's poorest and disabled households. Among the 83,367 renter households in Houston with incomes below 30 percent of the Area Median Income (AMI)—or approximately \$18,500 in the Houston metropolitan area—more than half, 56 percent, of them spend more than half of their gross income on housing. Another 1 in 6 devotes more than 30 percent of their gross income for housing.

Moreover, there is little federally subsidized housing available to those in need. The Housing Authority's waiting list for Section 8 Housing Choice Vouchers now has been closed for three years and there are still more than 10,000 people on the list. The average wait time is between 18 months and two years. It is estimated that more than 12,000 people are homeless on any given night in Houston; 6,583 of them are unsheltered and 3,600 of them are chronically homeless.

Madam Chairman, I support this legislation because it will begin to address the serious

housing problems we face in our own local communities, and as a nation. Among its many important provisions, this legislation requires that all public housing units proposed for demolition be replaced on a one-to-one basis, guaranteeing the total availability of public housing. This requirement will serve to protect low income residents under fair housing laws. Further, a mixed-income housing development must be provided on the site of the original public housing location and all replacement housing units must be located in a mixed-income community. The bill requires a third of the units in this development must be public housing units, with limited exceptions. Public housing agencies can build additional units on the site provided the provision of these units does not violate fair housing laws and the number of additional units is determined in consultation with residents, community leaders, and local government officials. Remaining units must be built in the jurisdiction of the public housing agency in low poverty areas and in a manner that affirmatively furthers fair housing.

The bill provides displaced residents with three housing choices: (a) a revitalized unit on the site of the original public housing location; (b) a revitalized unit in the jurisdiction of the public housing agency; or (c) a housing choice voucher, which can be used in areas with lower concentrations of poverty. Public housing residents of the revitalized developments must, under the provisions of this bill, be subject to the same screening criteria used for all public housing units.

This legislation also mandates adequate oversight, requiring public housing agencies to monitor and track all households affected by the HOPE VI revitalization plan. In addition, public housing agencies must develop a temporary relocation plan that provides comparable housing for all relocated residents, protects residents in transitioning to the private rental market with housing choice vouchers, provides for housing opportunities in 7 neighborhoods with lower concentrations of poverty, and extends the voucher search time to 150 days.

Madam Chairman, this legislation also provides for the active involvement and participation of residents in the grant planning process, including public hearings and four notices to residents on (a) the intent to apply for a HOPE VI grant, (b) grant award and relocation options, (c) grant agreement and relocation options, and (d) replacement housing.

The bill includes several provisions designed to increase the rate at which HOPE VI developments are constructed, which will help reduce the time tenants are relocated. The bill requires all new housing to be rebuilt within 12 months from the allocation of low-income housing tax credits or, for those grants that do not use tax credits, within 12 months of demolition or disposition. The bill waives the grant matching requirement for HOPE VI applicants in areas recovering from natural disasters or emergencies. This further helps these communities recover quickly and efficiently. Grantees that do not meet performance benchmarks will be penalized.

Finally, I would like to draw attention to requirements in this legislation mandating that all replacement housing and other structures part of the HOPE VI development to comply with certain energy-efficient green building standards. This Congress has made protecting

the environment a priority, and I am pleased to see this provision included in today's legislation.

I strongly urge my colleagues to join me in supporting this extremely important legislation.

Mr. TERRY. Madam Chairman, I rise to express my opposition to H.R. 3524, the HOPE VI Improvement and Reauthorization Act of 2007.

After speaking with the Omaha Housing Authority in my District, I have been informed that the changes in the bill are overly prescriptive and potentially burdensome for the community of Omaha.

In particular the one-for-one replacement of public housing units that is required under this bill is simply not feasible. This legislation requires one-for-one replacement of units that are demolished under the proposed plan on the original site or within the jurisdiction of the public housing authority. H.R. 3524 also mandates that one-third of the units that are constructed as a part of the mixed-income community revitalization plan remain public housing units.

One particular area where the Omaha Housing Authority would like to apply a HOPE IV grant to is the Pleasant View area. I am told that there are 190 units in Pleasant View that are in need of demolition, however, with the overly burdensome regulation of the one-to-one replacement requirement prescribed in this bill, the OHA would not be able to feasibly perform this demolition. These units are currently not occupied, so with the inclusion of Mr. NEUGEBAUER's amendment we would at least have some relief in this area.

I commend my colleague, RANDY NEUGEBAUER, for his amendment that would apply the one-to-one replacement requirement for units demolished under this program only to units that are occupied prior to demolition.

Another very problematic change for the Housing Authority in Omaha included in this legislation would be the compliance with the Green Communities rating system. As you know, this legislation requires the proposed revitalization plan to comply with the mandatory and non-mandatory items of the National Green Community checklist for residential construction and the mandatory and non-mandatory components of version 2.2 of the Leadership in Energy and Environmental Design (LEED) green building system for New Construction and Major Renovations.

The mandatory green building requirements for Green Communities and the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) will drive up development costs and threaten the viability of this important housing program in Omaha reducing the actual number of units that can be built.

Because of the vital importance of protecting housing affordability and keeping green building flexible, functional and effective, I will be voting against this bill as is and urge a "no" vote to my colleagues.

Mrs. CAPITO. Madam Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment is as follows:

H.R. 3524

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCES; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the "HOPE VI Improvement and Reauthorization Act of 2007".

(b) *REFERENCES.*—Except as otherwise expressly provided in this Act, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.).

(c) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

- Sec. 1. Short title; references; table of contents.
- Sec. 2. Purposes of program.
- Sec. 3. Authority to waive contribution requirement in cases of extreme distress or emergency.
- Sec. 4. Prohibition of demolition-only grants.
- Sec. 5. Repeal of main street projects grant authority.
- Sec. 6. Eligible activities.
- Sec. 7. Selection of proposals for grants.
- Sec. 8. Requirements for mandatory core components.
- Sec. 9. Planning and technical assistance grants.
- Sec. 10. Annual report; availability of documents.
- Sec. 11. Definitions.
- Sec. 12. Conforming amendment.
- Sec. 13. Authorization of appropriations.
- Sec. 14. Extension of program.
- Sec. 15. Review.
- Sec. 16. Regulations.

SEC. 2. PURPOSES OF PROGRAM.

Subsection (a) of section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v(a)) is amended—

(1) in paragraph (1), by inserting before "through" the following: "located in communities of all sizes, including small- and medium-sized communities,";

(2) in paragraph (3)—

(A) by inserting "low- and" before "very low-income"; and

(B) by striking "and" at the end;

(3) in paragraph (4), by striking the period at the end and inserting "; and"; and

(4) by adding at the end the following new paragraph:

"(5) promoting housing choice among low- and very low-income families."

SEC. 3. AUTHORITY TO WAIVE CONTRIBUTION REQUIREMENT IN CASES OF EXTREME DISTRESS OR EMERGENCY.

Subsection (c) of section 24 is amended by adding at the end the following new paragraph:

"(4) **WAIVER.**—

"(A) **AUTHORITY.**—The Secretary may waive the applicability of paragraph (1) with respect to an applicant or grantee if the Secretary determines that circumstances of extreme distress or emergency, in the area that the revitalization plan of the applicant is to be carried out, directly affect the ability of the applicant or grantee to comply with such requirement.

"(B) **REGULATIONS.**—The Secretary shall issue regulations to carry out this paragraph, which shall—

"(i) set forth such circumstances of extreme distress and emergency; and

"(ii) provide that such circumstances shall include any instance in which the area in which a revitalization plan assisted with amounts from a grant under this section is to be carried out is subject to a declaration by the President of a major disaster or emergency under the Robert T.

Stafford Disaster Relief and Emergency Assistance Act.”

SEC. 4. PROHIBITION OF DEMOLITION-ONLY GRANTS.

Section 24 is amended—

(1) in subsection (c)(3), by striking “or demolition of public housing (without replacement)”;

(2) in the first sentence of subsection (e)(3)—

(A) by striking “demolition only,”; and

(B) by striking the last comma; and

(3) in subsection (e), by adding at the end the following new paragraph:

“(4) **PROHIBITION OF DEMOLITION-ONLY GRANTS.**—The Secretary may not make a grant under this section for a revitalization plan that proposes to demolish public housing without revitalization of any existing public housing dwelling units.”

SEC. 5. REPEAL OF MAIN STREET PROJECTS GRANT AUTHORITY.

Section 24 is amended—

(1) by striking subsection (n) (relating to grants for assisting affordable housing developed through main street projects in smaller communities);

(2) in subsection (a), by striking the last sentence (that appears after and below paragraph (5), as added by section 2(4) of this Act);

(3) in subsection (l)—

(A) in paragraph (3), by striking “, including a specification of the amount and type of assistance provided under subsection (n),” and inserting “; and”;

(B) by striking paragraph (4); and

(4) in subsection (m), by striking paragraph (3).

SEC. 6. ELIGIBLE ACTIVITIES.

Paragraph (1) of section 24(d) is amended—

(1) in the matter preceding subparagraph (A), by striking “programs” and inserting “plans”;

(2) in subparagraph (G), by striking “program” and inserting “plan”;

(3) by striking subparagraph (J) and inserting the following new subparagraph:

“(J) the acquisition and development of replacement housing units in accordance with subsection (j);”

(4) in subparagraph (K), by striking “and” at the end;

(5) in subparagraph (L)—

(A) by striking “15 percent” and inserting “25 percent”;

(B) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following new subparagraphs:

“(M) necessary costs of ensuring the effective relocation of residents displaced as a result of the revitalization of the project, including costs of monitoring as required under subsection (k); and

“(N) activities undertaken to comply with the provisions of (B)(vii) and (C)(xiii) of subsection (e)(2) and subsection (l) (relating to green developments).”

SEC. 7. SELECTION OF PROPOSALS FOR GRANTS.

(a) **SELECTION CRITERIA.**—Section 24(e) is amended by striking paragraph (2) and inserting the following new paragraph:

“(2) **GRANT AWARD CRITERIA.**—

“(A) **ESTABLISHMENT.**—The Secretary shall establish criteria for the award of grants under this section.

“(B) **MANDATORY CORE COMPONENTS.**—The criteria under this paragraph shall require that a proposed revitalization plan may not be selected for award of a grant under this section unless the proposed plan meets all of the following requirements:

“(i) **EVIDENCE OF SEVERE DISTRESS.**—The proposed plan shall contain evidence sufficient to demonstrate that the public housing project that is subject to the plan is severely distressed, which shall include—

“(I) a certification signed by an engineer or architect licensed by a State licensing board that the project meets the criteria for physical distress under subsection (t)(2); and

“(II) such other evidence that the project meets criteria for nonphysical distress under subsection (t)(2), such as census data, crime statistics, and past surveys of neighborhood stability conducted by the public housing agency.

“(ii) **RESIDENT INVOLVEMENT AND SERVICES.**—The proposed plan shall provide for opportunities for involvement of residents of the housing subject to the plan and the provision of services for such residents, in accordance with subsection (g).

“(iii) **RELOCATION PLAN.**—The proposed plan shall provide a plan for relocation of households occupying the public housing project that is subject to the plan, in accordance with subsection (h), including a statement of the estimated number of vouchers for rental assistance under section 8 that will be needed for such relocation.

“(iv) **RESIDENT RIGHT TO EXPANDED HOUSING OPPORTUNITIES.**—The proposed plan provides right of resident households to occupy housing provided under such revitalization plan in accordance with subsection (i).

“(v) **ONE-FOR-ONE REPLACEMENT.**—The proposed plan shall provide a plan that—

“(I) provides for replacement in accordance with subsection (j) of 100 percent of all dwelling units demolished or disposed of under such revitalization plan, as of the date of the application for the grant, on the site of the original public housing or within the jurisdiction of the public housing agency;

“(II) identifies the type of replacement housing that will be offered to tenants displaced by the revitalization plan;

“(III) contains such agreements with or assurances by the Secretary, State and local governmental agencies, and other entities sufficient to ensure compliance with subsection (j) and the requirements of section 18 applicable pursuant to subsection (p)(1); and

“(IV) contains such assurances or agreements as the Secretary considers necessary to ensure compliance with subsection (i)(2).

“(vi) **FAIR HOUSING; LIMITATION ON EXCLUSION.**—The proposed plan shall be carried out in a manner that complies with section (m) (relating to affirmatively furthering fair housing and limitation on exclusion).

“(vii) **GREEN DEVELOPMENTS.**—The proposed plan complies with the requirement under subsection (l) (relating to green developments).

“(C) **MANDATORY GRADED COMPONENTS.**—The criteria under this paragraph shall provide that, in addition to the requirements under subparagraph (B), the proposed revitalization plan shall address and meet minimum requirements with respect to, and shall provide additional priority based on the extent to which the plan satisfactorily addresses, each of the following issues:

“(i) **COMPLIANCE WITH PURPOSES.**—The extent to which the proposed plan of an applicant achieves the purposes of this section set forth in subsection (a).

“(ii) **CAPABILITY AND RECORD.**—The extent of the capability and record of the applicant public housing agency, public partners, proposed private development partners, or any alternative management entity for the agency, for managing redevelopment or modernization projects, meeting performance benchmarks, and obligating amounts in a timely manner, including any past performance of such entities under the HOPE VI program and any record of such entities of working with socially and economically disadvantaged businesses, as such term is defined in section 8(a)(4) of the Small Business Act (15 U.S.C. 637(a)(4)).

“(iii) **DIVERSITY OUTREACH.**—The extent to which the proposed revitalization plan includes partnerships with socially and economically disadvantaged businesses, as such term is defined by section 8(a)(4) of the Small Business Act.

“(iv) **EFFECTIVENESS OF RELOCATION AND ONE-FOR-ONE REPLACEMENT PLANS.**—The extent of the likely effectiveness of the proposed revitalization plan for temporary and permanent relo-

cation of existing residents, including the likely effectiveness of the relocation plan under subparagraph (B)(iii) and the one-for-one replacement plan under subparagraph (B)(v).

“(v) **ACHIEVABILITY OF REVITALIZATION PLAN.**—The achievability of the proposed revitalization plan pursuant to subsection (o), with respect to the scope and scale of the project.

“(vi) **LEVERAGING.**—The extent to which the proposed revitalization plan will leverage other public or private funds or assets for the project.

“(vii) **NEED FOR ADDITIONAL FUNDING.**—The extent to which the applicant could undertake the activities proposed in the revitalization plan without a grant under this section.

“(viii) **PUBLIC AND PRIVATE INVOLVEMENT.**—The extent of involvement of State and local governments, private service providers, financing entities, and developers, in the development and ongoing implementation of the revitalization plan.

“(ix) **NEED FOR AFFORDABLE HOUSING.**—The extent of need for affordable housing in the community in which the proposed revitalization plan is to be carried out.

“(x) **AFFORDABLE HOUSING SUPPLY.**—The extent of the supply of other housing available and affordable to families receiving tenant-based assistance under section 8.

“(xi) **PROJECT-BASED HOUSING.**—The extent to which the proposed revitalization plan sustains or creates more project-based housing units available to persons eligible for residency in public housing in markets where the proposed plan shows there is demand for the maintenance or creation of such units.

“(xii) **GREEN DEVELOPMENTS COMPLIANCE.**—The extent to which the proposed revitalization plan—

“(I) in the case of residential construction, complies with the nonmandatory items of the national Green Communities criteria checklist identified in subsection (l)(1)(A), or any substantially equivalent standard as determined by the Secretary, but only to the extent such compliance exceeds the compliance necessary to accumulate the number of points required under such subsection; and

“(II) in the case of non-residential construction, includes non-mandatory components of version 2.2 of the Leadership in Energy and Environmental Design (LEED) green building rating system for New Construction and Major Renovations, version 2.0 of the LEED for Core and Shell rating system, or version 2.0 of the LEED for Commercial Interiors rating system, as applicable, or any substantially equivalent standard as determined by the Secretary, but only to the extent such inclusion exceeds the inclusion necessary to accumulate the number of points required under such system.

“(xiii) **HARD-TO-HOUSE FAMILIES.**—The extent to which the one-for-one replacement plan under subparagraph (B)(v) for the revitalization plan provides replacement housing that is likely to be most appropriate and beneficial for families whose housing needs are difficult to fulfill, including individuals who are not ineligible for occupancy in public housing pursuant to subsection (m)(2), have been released from a State or Federal correctional facility, have not been arrested for or charged with any crime during the period beginning upon probation or parole and ending one year after completion of probation or parole, and for whom affordable housing is a critical need.

“(xiv) **FAMILY-FRIENDLY HOUSING.**—The extent to which replacement housing units provided through the revitalization plan contain a sufficient number of bedrooms to prevent overcrowding.

“(xv) **ADDITIONAL ON-SITE MIXED-INCOME HOUSING.**—The extent to which the one-for-one replacement plan under subparagraph (B)(v) provides public housing units in addition to the number necessary to minimally comply with the requirement under subsection (j)(2)(A)(i), including the extent to which such plan provides

sufficient housing for elderly and disabled residents who indicate a preference to return to housing provided on the site of the original public housing involved in the revitalization plan and complies with the requirements of subsection (j)(2)(A)(ii).

“(xvi) OTHER.—Such other factors as the Secretary considers appropriate.”

(b) TREATMENT OF LOW-INCOME HOUSING TAX CREDIT ALLOCATIONS; MANDATORY SITE VISITS.—Section 24(e), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new paragraphs:

“(5) TREATMENT OF LOW-INCOME HOUSING TAX CREDIT ALLOCATION.—In the case of any application for a grant under this section that relies on the allocation of any low-income housing tax credit provided pursuant to section 42 of the Internal Revenue Code of 1986 as part of the revitalization plan proposed in the application, the Secretary shall not require that the first phase of any project to be developed under the plan possess an allocation of such low-income housing tax credits at the time of such application.

“(6) MANDATORY SITE VISITS.—Notwithstanding any other provision of law, the Secretary shall provide for appropriate officers or employees of the Department of Housing and Urban Development to conduct a visit to the site of the public housing involved in the revitalization plan proposed under each application for a grant under this section that is involved in a final selection of applications to be funded under this section. Site visits pursuant to this paragraph shall be used only for the purpose of obtaining information to assist in determining whether the public housing projects involved in the application are severely distressed public housing.”

SEC. 8. REQUIREMENTS FOR MANDATORY CORE COMPONENTS.

Section 24 is amended—

(1) by redesignating subsections (h) through (m) as subsections (q) through (v), respectively;

(2) by redesignating subsection (o) as subsection (w); and

(3) by striking subsection (g) and inserting the following new subsections:

“(g) RESIDENT INVOLVEMENT AND SERVICES.—

“(1) IN GENERAL.—Each revitalization plan assisted under this section shall provide opportunities for the active involvement and participation of, and consultation with, residents of the public housing that is subject to the revitalization plan during the planning process for the revitalization plan, including prior to submission of the application, and during all phases of the planning and implementation. Such opportunities for participation may include participation of members of any resident council, but may not be limited to such members, and shall include all segments of the population of residents of the public housing that is subject to the revitalization plan, including single parent-headed households, the elderly, young employed and unemployed adults, teenage youth, and disabled persons. Such opportunities shall include a process that provides opportunity for comment on specific proposals for redevelopment, any demolition and disposition involved, and any proposed significant amendments or changes to the revitalization plan.

“(2) NOTICES.—In carrying out a revitalization plan assisted under this section, a public housing agency shall provide the following written notices, in plain and nontechnical language, to each household occupying a dwelling unit in the public housing that is subject to, or to be subject to, the plan:

“(A) NOTICE OF INTENT.—Not later than the expiration of the 30-day period beginning upon publication by the Secretary of a notice of funding availability for a grant under this section for such plan, notice of—

“(i) the public housing agency’s intent to submit such application;

“(ii) the proposed implementation and management of the revitalized site;

“(iii) residents’ rights under this section to participate in the planning process for the plan, including opportunities for participation in accordance with paragraph (1), and to receive comprehensive relocation assistance and community and supportive services pursuant to paragraph (4); and

“(iv) the public hearing pursuant to paragraph (3).

“(B) NOTICE OF GRANT AWARD AND RELOCATION OPTIONS.—Not later than 30 days after notice to the public housing agency of the award of a grant under this section, notice that—

“(i) such grant has been awarded;

“(ii) describes the process involved under the revitalization plan to temporarily relocate residents of the public housing that is subject to the plan;

“(iii) provides the information required pursuant to subsection (h)(2) (relating to relocation options); and

“(iv) informs residents of opportunities for participation in accordance with paragraph (1).

“(C) NOTICE OF GRANT AGREEMENT AND RELOCATION OPTIONS.—Not later than 30 days after execution of a grant agreement under this section with a public housing agency, notice that—

“(i) specifically identifies the housing available for relocation of resident of the public housing subject to the revitalization plan;

“(ii) sets forth the schedule for relocation of residents of the public housing subject to the revitalization plan, including the dates on which such housing will be available for such relocation; and

“(iii) informs residents of opportunities for participation in accordance with paragraph (1).

“(D) NOTICE OF REPLACEMENT HOUSING.—Upon the availability of replacement housing provided pursuant to subsection (j), notice to each household described in subsection (i)(1) of—

“(i) such availability;

“(ii) the process and procedure for exercising the right to expanded housing opportunities and preferences under subsection (i)(2); and

“(iii) opportunities for participation in accordance with paragraph (1) of this subsection.

“(E) OTHER.—Such other notices as the Secretary may require.

“(3) PUBLIC HEARING.—The Secretary may not make a grant under this section to an applicant unless the applicant has convened and conducted a public hearing regarding the revitalization plan, including the one-for-one replacement to occur under the plan, not later than 75 days before submission of the application for the grant under this section for such plan, at a time and location that is convenient for residents of the public housing subject to the plan.

“(4) SERVICES.—Each recipient of a grant under this section shall—

“(A) provide each household who is residing at the site of the revitalization as of the date of the notice of intent under subparagraph (A) with comprehensive relocation assistance for a period that is the latter of the two periods referred to in subparagraph (B) with comprehensive relocation assistance; and

“(B) offer, to each such displaced resident and each low-income family provided housing under the revitalization plan, community and supportive services until the latter of—

“(i) the expiration of the two-year period that begins upon the end of the development period under the plan; and

“(ii) the date on which all funding under the grant for community and supportive services has been expended.

“(h) RELOCATION PROGRAM.—Each recipient of a grant under this section shall—

“(1) provide for each household displaced by the revitalization plan for which the grant is made to be relocated to a comparable replacement dwelling, as defined in section 101 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601), and for payment of actual and reasonable

relocation expenses of each such household and any replacement housing payments as are required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;

“(2) fully inform such households of all relocation options, which may include relocating to housing in a neighborhood with a lower concentration of poverty than their current residence or remaining in the housing to which they relocate;

“(3) to the maximum extent possible, minimize academic disruptions on affected children enrolled in school by coordinating relocation with school calendars;

“(4) establish strategies and plans that assist such displaced residents in utilizing tenant-based vouchers to select housing opportunities, including in communities with a lower concentration of poverty, that—

“(A) will not result in a financial burden to the family; and

“(B) will promote long-term housing stability;

“(5) establish and comply with relocation benchmarks that ensure successful relocation in terms of timeliness; and

“(6) notwithstanding any other provision of law, in the case of any tenant-based assistance made available for relocation of a household under this subsection, provide that the term during which the household may lease a dwelling unit using such assistance shall not be shorter than 150 days; if the household is unable to lease a dwelling unit during such period, the public housing agency shall either extend the period during which the household may lease a dwelling unit using such assistance or provide the tenant with the next available dwelling unit owned by the public housing agency.

“(i) RIGHT TO EXPANDED HOUSING OPPORTUNITIES FOR RESIDENT HOUSEHOLDS.—

“(1) IN GENERAL.—Subject only to paragraph (3), each revitalization plan assisted with a grant under this section shall make available, to each household occupying a dwelling unit in the public housing subject to a revitalization plan that is displaced as a result of the revitalization plan (including any demolition or disposition of the unit), occupancy for such household in a replacement dwelling unit provided pursuant to subsection (j). To exercise such right under this paragraph to occupancy in such a replacement dwelling unit, the household shall respond in writing to the notice provided pursuant to subsection (g)(2)(C) by the public housing agency.

“(2) PREFERENCES.—Such a replacement dwelling unit shall be made available to each household displaced as a result of the revitalization plan before any replacement dwelling unit is made available to any other eligible household.

“(3) REPORTS TO SECRETARY.—The Secretary shall require each public housing agency carrying out a revitalization plan assisted under this section to submit to the Secretary such reports as may be necessary to allow the Secretary to determine the extent to which the public housing agency has complied with this subsection and to which displaced residents occupy replacement housing provided pursuant to subsection (j), which shall include information describing the location of replacement housing provided pursuant to subsection (j) and statistical information on the characteristics of all households occupying such replacement housing.

“(j) ONE-FOR-ONE REPLACEMENT.—Each revitalization plan assisted with a grant under this section under which any public housing dwelling unit is demolished or disposed of shall provide as follows:

“(1) NUMBER.—For one hundred percent of all such dwelling units in existence as of the date of the application for the grant that are demolished or disposed under the revitalization plan, the public housing agency carrying out the plan shall provide an additional dwelling unit.

“(2) LOCATION.—Such dwelling units shall be provided in the following manner:

“(A) ON-SITE MIXED-INCOME HOUSING.—

“(i) ONE-THIRD REQUIREMENT.—A mixed-income housing development shall be provided on the site of the original public housing involved in the revitalization plan in which, except as provided in clause (iii), at least one-third of all dwelling units shall be public housing dwelling units and shall be provided through the development of additional public housing dwelling units.

“(ii) REQUIREMENTS FOR ADDITIONAL ON-SITE UNITS.—If the mixed-income housing development provided pursuant to clause (i) includes more public housing dwelling units at the site of the original public housing than is minimally necessary to comply with such clause, the public housing agency shall consult with residents, community leaders, and local government officials regarding such additional public housing dwelling units and shall ensure that such units are provided in a manner that affirmatively furthers fair housing.

“(iii) EXCEPTION.—If, upon a showing by a public housing agency, the Secretary determines that it is infeasible to locate replacement dwelling units on the site of the original public housing involved in the revitalization plan in accordance with clause (i), all replacement units shall be located in areas within the jurisdiction of the public housing agency having low concentrations of poverty, except that at least one mixed-income housing development shall be provided in such an area within the jurisdiction of the public housing agency and that one-third of all units in such development shall be public housing dwelling units. The Secretary may make a finding of infeasibility under this clause only if—

“(I) such location on-site would result in the violation of a consent decree; or

“(II) the land on which the public housing is located is environmentally unsafe, geologically unstable, or otherwise unsuitable for the construction of housing, as evidenced by an independent environmental review or assessment.

“(iv) DECONCENTRATION OF POVERTY.—All dwelling units provided pursuant to this subparagraph shall be provided in a manner that results in decreased concentrations of poverty, with respect to such concentrations existing on the date of the application for the grant under this section.

“(B) OFF-SITE MIXED-INCOME HOUSING.—Any other replacement housing units provided in addition to the dwelling units provided pursuant to subparagraph (A) shall be provided, in areas within the jurisdiction of the public housing agency having low concentrations of poverty, through—

“(i) the acquisition or development of additional public housing dwelling units; or

“(ii) the acquisition, development, or contracting (including through project-based assistance) of additional dwelling units that are subject to requirements regarding eligibility for occupancy, tenant contribution toward rent, and long-term affordability restrictions which are comparable to public housing units, except that subparagraphs (B) and (D) of section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(13)); relating to percentage limitation and income-mixing requirement for project-based assistance) shall not apply with respect to vouchers used to comply with the requirements of this clause.

“(3) TIMING.—All replacement dwelling units provided pursuant to this subsection shall be provided not later than the expiration of the 12-month period beginning upon the demolition or disposition of the public housing dwelling units, except that replacement dwelling units financed with a low-income housing tax credit under section 42 of the Internal Revenue Code of 1986 in connection with the revitalization plan shall be provided not later than the expiration of the 12-month period beginning upon the allocation of

such low-income housing tax credit. To the greatest extent practicable, such replacement or additional dwelling units, or redevelopment, shall be accomplished in phases over time and, in each such phase, the public housing dwelling units and the dwelling units described in subparagraph (B)(ii) of paragraph (2) shall be made available for occupancy before any nonassisted dwelling unit is made available for occupancy.

“(4) FAIR HOUSING.—The demolition or disposition, relocation, and provision of replacement housing units under paragraph (2)(B) shall be carried out in a manner that affirmatively furthers fair housing, as described in subsection (e) of section 808 of the Civil Rights Act of 1968 (42 U.S.C. 3608(e)).

“(k) MONITORING OF DISPLACED HOUSEHOLDS.—

“(1) PHA RESPONSIBILITIES.—To facilitate compliance with the requirement under subsection (i) (relating to right to expanded housing opportunities), the Secretary shall, by regulation, require each public housing agency that receives a grant under this section, during the period of the revitalization plan assisted with the grant and until all funding under the grant has been expended—

“(A) to maintain a current address of residence and contact information for each household affected by the revitalization plan who was occupying a dwelling unit in the housing that is subject to the plan; and

“(B) to provide such updated information to the Secretary on at least a quarterly basis.

“(2) CERTIFICATION.—The Secretary may not close out any grant made under this section to a public housing agency before the agency has certified to the Secretary that the agency has complied with subsection (i) (relating to a right to expanded housing opportunities for resident households) with respect to each resident displaced as a result of the revitalization plan, including providing occupancy in a replacement dwelling unit for each household who requested such a unit in accordance with such subsection.

“(3) REPORTS BY SECRETARY.—Not less frequently than once every six months, the Secretary shall submit a report to the Congress that includes all information submitted to the Secretary pursuant to paragraph (1) by all public housing agencies and summarizes the extent of compliance by public housing agencies with the requirements under this subsection and subsection (i).

“(1) GREEN DEVELOPMENTS REQUIREMENT.—

“(1) REQUIREMENT.—The Secretary may not make a grant under this section to an applicant unless the proposed revitalization plan of the applicant to be carried out with such grant amounts meets the following requirements, as applicable:

“(A) GREEN COMMUNITIES CRITERIA CHECKLIST.—All residential construction under the proposed plan complies with the national Green Communities criteria checklist for residential construction that provides criteria for the design, development, and operation of affordable housing, as such checklist is in effect for purposes of this subsection pursuant to paragraph (3) at the date of the application for the grant, or any substantially equivalent standard as determined by the Secretary, as follows:

“(i) The proposed plan shall comply with all items of the national Green Communities criteria checklist for residential construction that are identified as mandatory.

“(ii) The proposed plan shall comply with such other nonmandatory items of such national Green Communities criteria checklist so as to result in a cumulative number of points attributable to such nonmandatory items under such checklist of not less than—

“(I) 25 points, in the case of any proposed plan (or portion thereof) consisting of new construction; and

“(II) 20 points, in the case of any proposed plan (or portion thereof) consisting of rehabilitation.

“(B) LEED RATINGS SYSTEM.—All non-residential construction under the proposed plan complies with version 2.2 of the LEED for New Construction rating system, version 2.0 of the LEED for Core and Shell rating system, version 2.0 of the LEED for Commercial Interiors rating system, as such systems are in effect for purposes of this subsection pursuant to paragraph (3) at the time of the application for the grant, at least to the minimum extent necessary to be certified to the Silver Level under such system, or any substantially equivalent standard as determined by the Secretary.

“(2) VERIFICATION.—

“(A) IN GENERAL.—The Secretary shall verify, or provide for verification, sufficient to ensure that each proposed revitalization plan carried out with amounts from a grant under this section complies with the requirements under paragraph (1) and that the revitalization plan is carried out in accordance with such requirements and plan.

“(B) TIMING.—In providing for such verification, the Secretary shall establish procedures to ensure such compliance with respect to each grantee, and shall report to the Congress with respect to the compliance of each grantee, at each of the following times:

“(i) Not later than 60 days after execution of the grant agreement under this section for the grantee.

“(ii) Upon completion of the revitalization plan of the grantee.

“(3) APPLICABILITY AND UPDATING OF STANDARDS.—

“(A) APPLICABILITY.—Except as provided in subparagraph (B), the national Green Communities criteria checklist and LEED rating systems referred to in subparagraphs (A) and (B) that are in effect for purposes of this subsection are such checklist and systems as in existence upon the date of the enactment of the HOPE VI Improvement and Reauthorization Act of 2007.

“(B) UPDATING.—The Secretary may, by regulation, adopt and apply, for purposes of this section, future amendments and supplements to, and editions of, the national Green Communities criteria checklist, the LEED rating systems, and any standard that the Secretary has determined to be substantially equivalent to such checklist or systems.

“(m) FAIR HOUSING; LIMITATION ON EXCLUSION.—

“(1) FAIR HOUSING.—Each revitalization plan assisted under this section shall affirmatively further fair housing, as described in subsection (e) of section 808 of the Civil Rights Act of 1968.

“(2) LIMITATION ON EXCLUSION.—Except to the extent necessary to comply with the requirements of this section, replacement housing provided pursuant to subsection (j) under a revitalization plan of a public housing agency that is owned or managed, or assisted, by the agency shall be subject to the same policies, practices, standards, and criteria regarding waiting lists, tenant screening (including screening criteria, such as credit checks), and occupancy that apply to other housing owned or managed, or assisted, respectively, by such agency. A household may not be prevented from occupying a replacement dwelling unit provided pursuant to subsection (j), or from being provided a tenant-based voucher under the revitalization plan, except to the extent specifically provided by any other provision of Federal law (including subtitle F of title V of the Quality Housing and Work Responsibility Act of 1998 (42 U.S.C. 13661 et seq.; relating to safety and security in public and assisted housing and ineligibility of drug criminals, illegal drug users, alcohol abusers, and dangerous sex offenders), subtitle D of title VI of the Housing and Community Development Act of 1992), (42 U.S.C. 13611 et seq.; relating to preferences for elderly and disabled residents), and section 16(f) of the United States Housing Act of 1937 (42 U.S.C. 1437m(f); relating to ineligibility of persons convicted of methamphetamine offenses)).

“(n) ENFORCEMENT.—

“(1) ADMINISTRATIVE ENFORCEMENT.—If the Secretary determines on the record after opportunity for an agency hearing, pursuant to a request made by any member of household described in subsection (i)(1) who is adversely affected or aggrieved by a violation of subsection (g), (h), (i), (j), (k), (m), or (o), that such a violation has occurred, the Secretary shall issue an order requiring the public housing agency committing such violation to cease and desist for such violation and to take any affirmative action necessary to correct or remedy the conditions resulting from such violation.

“(2) AVAILABILITY OF OTHER REMEDIES.—The remedy under paragraph (1) shall be in addition to all other rights and remedies provided by law.

“(o) PERFORMANCE BENCHMARKS.—

“(1) IN GENERAL.—Each public housing agency that receives a grant under this section shall, in consultation with the Secretary and residents of the public housing subject to the revitalization plan for which the grant is made that are displaced as a result of the revitalization plan, establish performance benchmarks for each component of their revitalization plan.

“(2) FAILURE TO MEET BENCHMARKS.—If a public housing agency fails to meet the performance benchmarks established pursuant to paragraph (1), the Secretary shall impose appropriate sanctions, including—

“(A) appointment of an alternative administrator for the revitalization plan;

“(B) financial penalties;

“(C) withdrawal of funding under subsection (j); or

“(D) such other sanctions as the Secretary may deem necessary.

“(3) EXTENSION OF BENCHMARKS.—The Secretary shall extend the period for compliance with performance benchmarks under paragraph (1) for a public housing agency, for such period as the Secretary determines to be necessary, if the failure of the agency to meet such benchmarks is attributable to—

“(A) litigation;

“(B) obtaining approvals of the Federal Government or a State or local government;

“(C) complying with environmental assessment and abatement requirements;

“(D) relocating residents;

“(E) resident involvement that leads to significant changes to the revitalization plan; or

“(F) any other reason established by the Secretary by notice published in the Federal Register.

“(4) AUTHORITY OF SECRETARY.—In determining the amount of each grant under this section and the closeout date for the grant, the Secretary shall take into consideration the scope, scale, and size of the revitalization plan assisted under the grant.

“(p) APPLICABILITY OF OTHER LAWS.—

“(1) SECTION 18.—Any severely distressed public housing demolished or disposed of pursuant to a revitalization plan and any public housing developed in lieu of such severely distressed housing shall be subject to the provisions of section 18. To the extent the provisions of section 18 conflict with or are duplicative of the provisions of this section, the provisions of this section solely shall apply.

“(2) URA.—The Uniform Relocation and Real Property Acquisition Policies Act of 1974 shall apply to all relocation activities pursuant to a revitalization plan under this section.”.

SEC. 9. PLANNING AND TECHNICAL ASSISTANCE GRANTS.

Subsection (v) of section 24 (42 U.S.C. 1437v(v)), as so redesignated by section 8(1), is amended by striking paragraph (2) and inserting the following new paragraph:

“(2) TECHNICAL ASSISTANCE GRANTS.—Subject only to approvable requests for grants pursuant to paragraph (1) for any fiscal year, the Secretary shall use not less than two percent for grants in such fiscal year to recipients of grants under this section to assist such recipients in ob-

taining technical assistance in carrying out revitalization programs.”.

SEC. 10. ANNUAL REPORT; AVAILABILITY OF DOCUMENTS.

Subsection (u) of section 24, as so redesignated by section 8(1) of this Act, is amended—

(1) by inserting after paragraph (3) the following new paragraph:

“(4) the extent to which public housing agencies carrying out revitalization plans with grants under this section have complied with the requirements under subsection (i) (relating to right to expanded housing opportunities for resident households); and”;

(2) by adding at the end the following:

“To the extent not inconsistent with any other provisions of law, the Secretary shall make publicly available through a World Wide Web site of the Department of Housing and Urban Development all documents of, or filed with, the Department relating to the program under this section, including applications, grant agreements, plans, budgets, reports, and amendments to such documents; except that in carrying out this sentence, the Secretary shall take such actions as may be necessary to protect the privacy of any residents and households displaced from public housing as a result of a revitalization plan assisted under this section.”.

SEC. 11. DEFINITIONS.

Subsection (s) of section 24, as so redesignated by section 8(1) of this Act, is amended—

(1) in clauses (i) and (iii) of paragraph (1)(C), by striking “program” each place such term appears and inserting “plan”;

(2) in paragraph (3)—

(A) by striking “SUPPORTIVE” and inserting “COMMUNITY AND SUPPORTIVE”;

(B) by inserting “community and” before “supportive services”;

(C) by inserting before the period at the end the following: “, and such other services that, linked with affordable housing, will improve the health and residential stability of public housing residents”;

(D) by inserting after “transportation,” the following: “employment and vocational counseling, financial counseling, life skills training.”;

(3) by redesignating paragraph (3) as paragraph (6);

(4) by inserting after paragraph (2), the following new paragraph:

“(5) SIGNIFICANT AMENDMENT OR CHANGE.—The term ‘significant’ means, with respect to an amendment or change to a revitalization plan, that the amendment or change—

“(A) changes the use of 10 percent or more of the funds provided under the grant made under this section for the plan from use for one activity to use for another;

“(B) eliminates an activity that, notwithstanding the change, would otherwise be carried out under the plan; or

“(C) changes the scope, location, or beneficiaries of the project carried out under the plan.”;

(5) by redesignating paragraph (2) as paragraph (4); and

(6) by inserting after paragraph (1) the following new paragraphs:

“(2) COMPREHENSIVE RELOCATION ASSISTANCE.—The term ‘comprehensive relocation assistance’ means comprehensive assistance necessary to relocate the members of a household, and includes counseling, including counseling regarding housing options and locations and use of tenant-based assistance, case management services, assistance in locating a suitable residence, site tours, and other assistance.

“(3) DEVELOPMENT.—The term ‘development’ has the same meaning given such term in the first sentence of paragraph (1) of section 3(c) (42 U.S.C. 1437a).”.

SEC. 12. CONFORMING AMENDMENT.

Paragraph (1) of section 24(f) is amended by striking “programs” and inserting “plans”.

SEC. 13. AUTHORIZATION OF APPROPRIATIONS.

Subsection (v)(1) of section 24, as so redesignated by section 8(1) of this Act, is amended by striking all that follows “section” and inserting “\$800,000,000 for each of fiscal years 2008 through 2015.”.

SEC. 14. EXTENSION OF PROGRAM.

Subsection (w) of section 24, (as so redesignated by section 8(2) of this Act) is amended by striking “September 30, 2007” and inserting “September 30, 2015”.

SEC. 15. REVIEW.

The Comptroller General of the United States shall—

(1) conduct a review of activities, actions, and methods used in revitalization plans assisted under section 24 of the United States Housing Act of 1937 to determine which may be transferable to other federally-assisted housing programs; and

(2) make recommendations to the Congress regarding the activities, actions, and methods reviewed under paragraph (1) not later than the expiration of the 3-year period beginning on the date of the enactment of this Act.

SEC. 16. REGULATIONS.

Section 24, as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

“(x) REGULATIONS.—Not later than the expiration of the 120-day period beginning on the date of the enactment of the HOPE VI Improvement and Reauthorization Act of 2007, the Secretary shall issue regulations to carry out this section, including the amendments made by such Act.”.

The CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 110-509. Each amendment may be offered only in the order printed in the report; by a Member designated by the report; shall be considered read; shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment; shall not be subject to amendment; and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. WATERS

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110-509.

Ms. WATERS. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Ms. WATERS:

Page 9, strike lines 7 through 12, and insert the following:

“(I)(aa) provides for replacement in accordance with subsection (j) of 100 percent of all dwelling units in existence as of January 1, 2005, that are subject to the revitalization plan and that have been or will be demolished or disposed of, on the site of”.

Page 9, line 15, before the semicolon insert the following: “, or (bb) pursuant to subsection (j)(1)(B), requests a reduction of the percentage specified in subsection (j)(1)(A) and provides for replacement of dwelling units demolished or disposed of in accordance with the percentage requested”.

Page 9, line 18, strike “tenants” and insert “residents”.

Page 9, strike “and” in line 24 and all that follows through “(p)(1)” on page 10, line 2, and insert “(as modified by any percentage reduction requested under subsection (j)(1)(B))”.

Page 11, line 9, before the comma insert “(including nonprofit housing developers)”.

Page 13, line 4, before the last comma insert “(including nonprofit housing developers)”.

Page 14, line 9, after “standard” insert “or standards”.

Strike line 16 on page 14 and all that follows through page 15, line 5, and insert the following: “construction, complies with the components of the green building rating systems and levels identified by the Secretary pursuant to subsection (1)(3), but only to the extent such compliance exceeds the minimum level required under such systems and levels.”.

Page 15, line 13, before “individuals” insert “, but not limited to, elderly households, disabled households, households consisting of grandparents raising grandchildren, large families, households displaced by the revitalization plan in need of special services, and”.

Page 15, line 16, strike “State or Federal correctional facility” and insert “prison, jail, or other correctional facility of the Federal Government, a State government, or a unit of local government”.

Page 17, after line 21, insert the following: (c) EXCLUSION OF GREEN DEVELOPMENT COSTS FROM TOTAL DEVELOPMENT COSTS.—Subsection (f) of section 24 is amended by adding after and below paragraph (2) the following:

“In determining the total development costs for a revitalization plan, the Secretary shall not consider any costs of compliance with green building rating systems and levels identified by the Secretary pursuant to subsection (1)(3).”.

Page 21, line 6, before “dates” insert “approximate”.

Page 23, after line 3, insert the following new paragraph:

“(5) SIGNIFICANT AMENDMENTS OR CHANGES TO PLAN.—A public housing agency may not carry out any significant amendment or change to a revitalization plan unless—

“(A) the public housing agency has convened and conducted a public hearing regarding the significant amendment or change at a time and location that is convenient for residents of the public housing subject to the plan and has provided each household occupying a dwelling unit in such public housing with written notice of such hearing not less than 10 days before such hearing; and

“(B) after such hearing, the public housing agency consults with the households occupying dwelling units in the public housing that are subject to, or to be subject to the plan, and the agency submits a report to the Secretary describing the results of such consultation; and

“(C) the Secretary approves the significant amendment or change.

Notwithstanding subparagraph (C), if the Secretary does not approve or disapprove a request for a significant amendment or change to a revitalization plan before the expiration of the 30-day period beginning upon the receipt by the Secretary of the report referred to in subparagraph (B), such request shall be considered to have been approved.”.

Page 24, line 20, strike “either”.

Page 24, line 22, strike “or provide the tenant” and insert “and continue to provide the household with comprehensive relocation assistance, or at the option of the household, provide the household”.

Page 26, strike line 13, and insert the following:

“(1) NUMBER.—

“(A) IN GENERAL.—For one hundred percent, or such lower percentage as is provided pursuant to subparagraph (B), of all”.

Page 26, strike “the date” in line 14 and all that follows through line 16 and insert the following: “January 1, 2005, that are subject to the revitalization plan and that have been or will be demolished or disposed of, the public hous-”.

Page 26, after line 18, insert the following:

“(B) WAIVER.—

“(i) AUTHORITY.—Upon the written request of a public housing agency submitted as part of an application for a grant under this section, the Secretary may reduce the percentage applicable under subparagraph (A) to a revitalization plan of the agency to not less than 90 percent, but only if—

“(I) the Secretary determines that such written request has sufficiently demonstrated a compelling need for such reduction due to extenuating circumstances, which shall include—

“(aa) a judgment, consent decree, or other order of a court that limits the ability of the public housing agency to comply with such requirements; and

“(bb) a severe shortage of land available to comply with such requirements; and

“(cc) such other circumstances as the Secretary determines on a case-by-case basis; and

“(II) the reduction is narrowly tailored such that it—

“(aa) reduces the percentage only to the extent necessary to address the particular extenuating circumstances demonstrated pursuant to subclause (I); and

“(bb) is limited in a manner that ensures the maximum extent of compliance with the requirements of this subsection.

“(ii) REQUIRED AND IMPERMISSIBLE CONSIDERATIONS.—In determining whether a compelling need for a reduction pursuant to this subparagraph exists, and extenuating circumstances exist, for purposes of clause (i), the Secretary—

“(I) shall take into consideration the extent and circumstances of any vacant public housing dwelling units of the public housing agency;

“(II) shall take into consideration the extent to which revitalization plan provides additional amenities that will improve the quality of the life of residents by increasing open space or by providing health care or day care facilities or by providing larger units to accommodate families; and

“(III) shall not base any such determination solely or primarily upon any financial hardship of a public housing agency or any other financial condition or consideration.

“(iii) NO WAIVER OF TIME LIMITS.—The Secretary may not, under this subparagraph, waive any requirement of paragraph (3) (relating to timing). The preceding sentence may not be construed to limit or otherwise affect the authority under subsection (o)(3).

“(iv) PENALTY.—If, pursuant to this subparagraph, the Secretary reduces the percentage under subparagraph (A) applicable to the revitalization plan of a public housing agency, no grant under this section may be made to such agency or for any public housing of such agency at any time that such agency is not in full compliance with the requirements of this paragraph, as modified by the terms of such reduction.”.

Page 30, after line 2, insert the following:

“Notwithstanding the preceding sentence, if a public housing agency has limited areas within its jurisdiction having low concentrations of poverty, the replacement housing units provided in addition to the dwelling units provided pursuant to subparagraph (A) may be provided within a 25-mile radius of the mixed-income development referred to in subparagraph (A).”.

Page 30, strike line 3 and all that follows through “credit.” in line 13, and insert the following:

“(3) TIMING.—All replacement dwelling units required pursuant to this subsection with respect to the revitalization plan of a public housing agency shall be provided not later than the expiration of the 54-month period that begins upon the execution of the

grant agreement under this section for the revitalization plan of the public housing agency.”.

Page 31, after line 2, insert the following:

“(5) PROJECT-BASED VOUCHERS.—There are authorized to be appropriated such sums as may be necessary for each of fiscal years 2009 through 2015 for providing replacement vouchers for project-based rental assistance for the purpose of complying with the one-for-one replacement requirement under this subsection.”.

Page 33, line 1, strike “(3)” and insert “(4)”.

Page 33, line 3, after “standard” insert “or standards”.

Strike line 22 on page 33 and all that follows through page 34, line 9, and insert the following:

“(B) GREEN BUILDINGS CERTIFICATION SYSTEM.—All non-residential construction under the proposed plan complies with all minimum required levels of the green building rating systems and levels identified by the Secretary pursuant to paragraph (3), as such systems and levels are in effect for purposes of this subsection pursuant to paragraph (4) at the time of the application for the grant.”.

Page 35, after line 5, insert the following:

“(3) IDENTIFICATION OF GREEN BUILDINGS RATING SYSTEMS AND LEVELS.—

“(A) IN GENERAL.—For purposes of this section, the Secretary shall identify rating systems and levels for green buildings that the Secretary determines to be the most likely to encourage a comprehensive and environmentally-sound approach to ratings and standards for green buildings. The identification of the ratings systems and levels shall be based on the criteria specified in subparagraph (B), shall identify the highest levels the Secretary determines are appropriate above the minimum levels required under the systems selected. Within 90 days of the completion of each study required by subparagraph (C), the Secretary shall review and update the rating systems and levels, or identify alternative systems and levels for purposes of this section, taking into account the conclusions of such study.

“(B) CRITERIA.—In identifying the green rating systems and levels, the Secretary shall take into consideration—

“(i) the ability and availability of assessors and auditors to independently verify the criteria and measurement of metrics at the scale necessary to implement this subsection;

“(ii) the ability of the applicable ratings system organizations to collect and reflect public comment;

“(iii) the ability of the standards to be developed and revised through a consensus-based process;

“(iv) an evaluation of the robustness of the criteria for a high-performance green building, which shall give credit for promoting—

“(I) efficient and sustainable use of water, energy, and other natural resources;

“(II) use of renewable energy sources;

“(III) improved indoor environmental quality through enhanced indoor air quality, thermal comfort, acoustics, day lighting, pollutant source control, and use of low-emission materials and building system controls; and

“(IV) such other criteria as the Secretary determines to be appropriate; and

“(v) national recognition within the building industry.

“(C) 5-YEAR EVALUATION.—At least once every five years, the Secretary shall conduct a study to evaluate and compare available third-party green building rating systems and levels, taking into account the criteria listed in subparagraph (B).”.

Page 35, line 6, strike “(3)” and insert “(4)”.

Page 35, lines 10 and 11, strike “LEED rating systems” and insert “green building rating systems and levels”.

Page 35, line 12, after “(B)” insert “of paragraph (1)”.

Page 35, line 13, strike “and systems” and insert “, systems, and levels”.

Page 35, strike lines 21 through 24 and insert the following: “criteria checklist, any standard or standards that the Secretary has determined to be substantially equivalent to such checklist, and the green building ratings systems and levels identified by the Secretary pursuant to paragraph (3).”.

Page 35, line 25, strike “LIMITATION ON EXCLUSION” and insert “CONSISTENT ELIGIBILITY AND OCCUPANCY STANDARDS”.

Page 36, line 5, strike “LIMITATION ON EXCLUSION” and insert “CONSISTENT ELIGIBILITY AND OCCUPANCY STANDARDS”.

Strike “. A household” in line 15, on page 36 and all that follows through page 37, line 7, and insert the following: “, including requirements under Federal law relating to safety and security in public and assisted housing and ineligibility of drug criminals, illegal drug users, alcohol abusers, and dangerous sex offenders, preferences for elderly and disabled residents, and ineligibility of persons convicted of methamphetamine offenses.”.

Page 37, after line 7, insert the following:

“(3) CONSISTENT OCCUPANCY STANDARDS FOR DISPLACED FAMILIES.—Notwithstanding paragraph (2), any household who occupied a dwelling unit in public housing subject to a revitalization plan of a public housing agency and that was displaced as a result of the revitalization shall be subject, for purposes of occupancy in replacement housing provided pursuant to subsection (j) under the replacement plan that is owned or managed, or assisted, by the agency, only to policies, practices, standards, criteria, and requirements regarding continued occupancy in such original public housing (and not to initial occupancy).”.

Page 38, line 7, after the period insert the following: “Such benchmarks shall include completion of the provision of all replacement dwelling units provided pursuant to the requirements of subsection (j)”.

Page 39, after line 5, insert the following:

“(D) project delays and cost increases due to shortages in labor and materials as a direct result of location in an area that is subject to a declaration by the President of a major disaster or emergency under the Robert T. Stafford Disaster and Emergency Assistance Act, except that an extension of the period for compliance with performance benchmarks pursuant to this subparagraph shall not be for a period longer than 12 months;”.

Page 39, line 6, strike “(D)” and insert “(E)”.

Page 39, line 7, strike “(E)” and insert “(F)”.

Page 39, line 9, strike “(F)” and insert “(G)”.

Strike line 17 on page 39 and all that follows through “(2) URA.—” on page 40, line 1, and insert the following:

“(p) APPLICABILITY OF UNIFORM RELOCATION ACT.—”.

Page 42, lines 17 and 18, strike “10 percent or more of the funds” and insert “20 percent or more of the total amount of HOPE VI grant amounts provided under this section”.

Page 44, after line 18, insert the following:
SEC. 16. EXTENSION OF AVAILABILITY OF FUNDS FOR REVITALIZATION PLANS DELAYED BY HURRICANES.

Notwithstanding any other provision of law, the Secretary of Housing and Urban Development may not, before October 1, 2009,

recapture any portion of a grant made to a public housing agency to carry out a revitalization plan under section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v) if the public housing agency has suffered, as a direct result of Hurricane Katrina, Wilma, or Rita of 2005—

(1) project delays; and

(2) cost increases due to shortages in labor and materials.

Page 44, line 19, strike “SEC. 16.” and insert “SEC. 17.”.

Page 45, after line 2, insert the following:

SEC. 18. NON-CITIZEN ELIGIBILITY RESTRICTIONS.

No person not lawfully permitted to be in or remain in the United States is eligible for housing assistance under this Act or the amendments made by this Act. Nothing in this Act or the amendments made by this Act alters the rules under section 214 of the Housing and Community Development Act of 1980 (42 U.S.C. §1436a).

The CHAIRMAN. Pursuant to House Resolution 922, the gentlewoman from California (Ms. WATERS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from California.

Ms. WATERS. Madam Chairman, I yield myself 3 minutes.

I would like to thank the distinguished chairman of the Committee on Financial Services, BARNEY FRANK, and Oversight Subcommittee Chairman MEL WATT for their strong support of the manager’s amendment to H.R. 3524.

In the manager’s amendment filed before this committee, we worked very hard to address concerns that had been raised by the minority, housing advocates, resident organizations, housing authorities, and others to ensure that we have a bill that is achievable and responsive to the needs of low-income families and communities.

In the manager’s amendment we maintain more of our public housing stock by requiring the replacement of any units in existence as of January 1, 2005; provide an extremely limited waiver of the one-for-one requirement in special circumstances, such as a court decree or a severe shortage of land, and impose a penalty on those housing authorities who receive a waiver but fail to meet their obligations under it; allow replacement units to be built outside the jurisdiction of the housing authority in the event the housing authority’s jurisdiction is limited in the number of low-poverty areas; extend the timeline for rebuilding from 12 to 54 months; increase resident involvement in decisions surrounding significant changes to HOPE VI plans; exclude green building from total development costs; provide flexibility in nonresidential green development standards; protect grantees affected by cost increases and project delays as a result of the 2005 hurricanes from recapture of their funds; and provide that HOPE VI housing assistance is only for persons who are legally present in the United States.

These changes will greatly improve the bill and build upon the success of the HOPE VI program. Since this program’s inception in 1992, we have all

watched it at work in our districts and wondered how it could work better. We have all seen families displaced and heard stories about families disappearing into thin air because of these developments. We have seen the units come down and seen a reduced number come back up. We know that HOPE VI can and must do better.

This manager’s amendment as well as the underlying bill will go far into making this a program that truly gives hope to low-income families. I urge you to support the manager’s amendment and the underlying bill and to remember that this bill is about maintaining housing for our low-income families. They need our support.

Madam Chairman, I reserve the balance of my time.

Mrs. CAPITO. Madam Chairman, I rise to claim the time in opposition, although I am not opposed to the manager’s amendment.

The CHAIRMAN. Without objection, the gentlewoman from West Virginia is recognized for 10 minutes.

There was no objection.

Mrs. CAPITO. Madam Chairman, I yield myself such time as I may consume.

I would like to thank the chairman and the chairwoman of the subcommittee, Ms. WATERS, for reaching across the aisle and working on some of the very serious concerns that we had about the original bill.

I would like to speak specifically about one area, the one-for-one replacement. We have heard a lot of discussion about that on the floor in the beginning arguments. But in this manager’s amendment, there is much more flexibility in the one-for-one replacement. It also allows the Secretary to have some flexibility, and I think that means we will have more meaningful housing, housing with more vision on how to improve family and home life.

Another thing is the development timeline. In the original bill, the development timeline was 12 months. I can’t imagine myself trying to build large projects such as these and have everything in 12 months. So that deadline was extended to 54 months, which I think was a very good move.

Also on the green building requirements, I have an amendment coming forward to ask for flexibility again in the green building requirements. But in the manager’s amendment, some revisions were made, and I think it’s moving us a step in the right direction.

I myself support the manager’s amendment. I think that a lot of the changes that were made were made in response to what we were hearing in our various offices from not only individuals but various groups their concern for the best way to put forward affordable housing, HOPE VI, and make sure that what we build stands up to the challenges of the future.

Madam Chairman, I reserve the balance of my time.

Ms. WATERS. Madam Chairman, I yield 3½ minutes to the gentleman

from Massachusetts (Mr. OLVER), who spent a lot of time working on this manager's amendment and this bill.

Mr. OLVER. I thank the gentlewoman for yielding.

Madam Chairman, I want to congratulate first Chairman FRANK and Subcommittee Chairwoman WATERS, both from the Financial Services Committee, for their great work in bringing forward to the floor this reauthorization bill for the important HOPE VI program.

I am a supporter of the manager's amendment, and I want to say a few words from an appropriator's perspective here as the chairman of the Appropriations Subcommittee that deals with HUD.

In America, we have at least 10 million American families who live below or near the poverty line who are struggling to make ends meet and working largely in minimum wage or near minimum wage jobs and part-time jobs. We appropriate voucher rental assistance for roughly 2½ million of those families through the tenant and project basis, and they're costly. We also appropriate monies to provide operations for the roughly 600,000 units which are under our public housing authorities all over the country.

The HOPE VI program is our only program that allows for total renovation of replacement of family housing units in that group that are under the public housing authorities in cities and towns all over the country. All 10 million of those families dream about better jobs and owning a home, but with incomes so limited, the family budget gets destabilized if there is a job loss or an unanticipated health problem in the family, and they end up being the most vulnerable people for predatory lending practices that have become so obvious in the mortgage disclosure crisis if they are trying to make ends meet and trying to have homeownership. Those are exactly the families that would benefit the most from reduced monthly energy bills, and they are the most in need of that help.

Under the bill before us, HOPE VI projects must meet energy saving requirements embodied in the green community criteria established by Enterprise Partners, the American Planning Association, the American Institute of Architects, and the Natural Resource Defense Council, among others, who have put forth a comprehensive set of criteria which include siting of buildings to maximize passive solar heating and cooling, siting near public transportation, using Energy Star highly efficient appliances, using water fixtures that save water and energy.

A study of 20 already completed projects using these standards showed an average of 2.4 percent only in construction cost increase, but that cost is recovered within 5 to 7 years by lower monthly energy bills.

□ 1200

For the rest of the 50- to 100-year lifetime of the public housing, the moneys,

those savings go back to the individual families, and it requires us to appropriate less money to the public housing authority. So it's a very important program.

Mrs. CAPITO. Mr. Chairman, I would like to yield my remaining time to the ranking member of the full committee, Mr. BACHUS of Alabama.

Mr. BACHUS. Mr. Chairman, I rise in support of the manager's amendment, and I would like to commend the majority on addressing several of our concerns. I think particularly the developmental timeline is very significant. I think it's a much more practical way of dealing with notifying tenants about changes, eligibility standards are much improved, and the provision on illegal aliens.

I do think that the one-on-one replacement provision, and I very much appreciate you, I think, making a good change, and I think it allows more of our Members to support the underlying bill. I do intend to continue to support doing away with the one-on-one replacement for the reasons I said in earlier debate, because I still believe that for most people the best option is for them to move out of this concentrated housing. I also think it has an unintended consequence of restricting the ability to create a mixed-income community that you attract a mix of individuals into.

So I will support the Neugebauer amendment. I think the green building requirement, it does do away with some specific references to the LEED rating standard. However, the Green Communities rating system for residential construction remains in the bill, and I believe that we have got to give more flexibility. Let's be environmentally sound, but let's don't adopt one standard, particularly as expressed by the Carpenters Union, the Laborers Union, also the National Home Builders. Let's not discriminate against American wood products.

As we continue to move forward, I am sure that the cooperation you all have shown today will manifest itself, and we will continue to work on that. I will support, and I believe very much we need Mrs. CAPITO's amendments on the green building requirement.

Mrs. CAPITO. Mr. Chairman, I yield back the balance of my time.

Ms. WATERS. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I again appreciate the gentlewoman's courtesy, as I appreciate her leadership on this, and that of my friend, Mr. OLVER.

There is a difference between flexibility in green building standards and gutting the provision altogether. Having green building standards should not be merely one factor that is considered, as will be proposed by the gentlewoman's amendment later in the game. The manager's amendment provides flexibility and allows the Secretary to deal with compliance. It does not have

strict LEED certification, but still retains that environmental green building standard. Frankly, the notion that we just dismiss this as merely one factor to be considered is going to be regarded in the years to come as an embarrassingly shortsighted proposal.

As I mentioned earlier in the debate we in Portland used HOPE VI to create an environmentally-sensitive community that actually provided twice as many housing units as had been on the site before, using HOPE VI as an anchor for more investment and as a development model. The provisions that are in the underlying bill and the manager's amendment will provide more environmentally-sensitive construction and, frankly, the costs are going to be recovered in relatively short order, as my friend from Massachusetts pointed out, in savings, not just from energy, but also water and sewer as well.

These costs are going up exponentially over time. Having this wired into the HOPE VI provision means that it is a better investment for the community and a better investment for the Federal Government. It's going to save the Federal Government and the tenants money over the long haul. There is absolutely no reason to water it down.

I strongly urge approval of the manager's amendment and rejection of the subsequent amendment.

Ms. WATERS. Mr. Chairman, I would like to thank all of the people that I have identified on this side of the aisle today, plus people I have not identified on the opposite side of the aisle. It has been very enjoyable working with Mrs. CAPITO, I have appreciated the work of Mr. SHAYS, and of course my old friend, Mr. BACHUS, even though we disagree on some things; and Mr. NEUGEBAUER. We have all come to the conclusion certainly that HOPE VI is a valuable program and that all of our communities can benefit from it.

We have a few different views about one-for-one, we have a few different views about Davis-Bacon maybe, the destruction of units, and the green requirements. But this is one bill that both sides of the aisle understand very thoroughly that America is going to benefit. Mr. BACHUS reminded us, even though I know that he understands, that the reason for HOPE VI is to deal with those public housing projects, those developments that were in great disrepair, that needed to be replaced, that needed to be restored, and not just the physical makeup, not just the buildings; but we also understood that what was wrong with our public housing developments was lack of services.

Many of these developments are like little towns, little cities without services. We all know and appreciate they need after-school, they need health care, they need all kinds of support for families, and job development. All of those things we all support, and I would not challenge my Members on the opposite side of the aisle on any of those issues.

I would like to thank them for the tremendous cooperation they have given, and the staffs have worked so well together to resolve a lot of questions to get us to the point that we are today; and while we will go through a few amendments, I feel very, very good that this very, very big and complicated bill has received such wonderful support.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. HOLDEN). The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Ms. WATERS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. NEUGEBAUER

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110-509.

Mr. NEUGEBAUER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. NEUGEBAUER:

Page 9, line 4, before the period insert "FOR OCCUPIED UNITS".

Page 9, line 11, after the comma insert "occupied".

Page 26, line 9, before the period insert "FOR OCCUPIED UNITS".

Page 26, line 14, strike "in existence" and insert "occupied".

The Acting CHAIRMAN. Pursuant to House Resolution 922, the gentleman from Texas (Mr. NEUGEBAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. NEUGEBAUER. Mr. Chairman, I yield myself such time as I may consume.

I believe there is a concept that I strongly support, and one that I think a lot of Members of this body support, that when government is too prescriptive, then good ideas and innovation get suppressed. This is the reason I brought forward this amendment, because in H.R. 3524, it requires that all housing units demolished under the HOPE VI grant program be replaced on a one-for-one basis. What we know is that this is a new provision in the HOPE VI program. One of the things that concerns me most about this is in many cases it is not necessarily feasible for us to go back on a one-for-one basis, nor may it be a need in that particular community.

Chairman WATERS and I had a chance to travel down to New Orleans and see some of the activities going on down there, and what we saw is some units

that were brought back on a one-for-one basis that were vacant, were unoccupied, which indicated there may be some resistance to coming back to that particular neighborhood.

What we also know with the HOPE VI program is that this program was designed to replace some very terrible housing conditions, an old, failed system of putting all of these low-income systems in a very concentrated area, and we found out very quickly that that was not a successful program. So now with this particular legislation we are going to go back and say we didn't learn our lesson the first time; we are going to go back with these kinds of concentrations in these neighborhoods, which have already shown to fail.

The other thing that I think needs to be brought out is in some cases there may be land constraints that make this not feasible to go back for one-for-one. The second piece of it is that housing and demographics have changed since a lot of these units have been built.

What we are learning now is that we can do these mixed-use projects where we bring moderate and low-income families together and not putting all of these low-income families in one place. We have also learned a lot about the density, the environment, where we have open spaces for children to play, and we are not forcing them to play in the streets.

So there's a lot of things that we do better now, but we are trying to limit using some of those new techniques and new innovations in housing by going back to the old model.

One of the things that I think has been brought out in this debate is that this is not a debate about whether HOPE VI is a good program or not. I want to be clear about that, that when I stand before this body today and say we shouldn't be too prescriptive, I am not talking about not funding this HOPE VI program or reauthorizing it. I think we did some things that actually did make this better, but being too prescriptive begins to deny the ability of communities to sit down and decide what is the best footprint to provide good quality housing for our low-income residents, and they deserve that. For us to stand up and say this body of 435 here and 100 on the other side, that we know more about what the housing needs are in these communities around America, I think is a little ludicrous.

We need to empower the local governments and the housing authorities to be able to sit down and say, look, we have got these old and dilapidated units, people don't want to live in them, some are vacant, some are occupied, and some of them probably shouldn't be occupied, but for the United States Congress to say we know more about your housing needs in your community, I think is poor policy.

That is the reason I am going to be encouraging my colleagues today to vote for the Neugebauer amendment that takes out the provision of being

too prescriptive, allowing American cities and communities and housing authorities to make the right decisions for our low-income folks.

Mr. Chairman, I yield back the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. FRANK of Massachusetts. I appreciate the cooperative spirit, and we should note that the one-for-one replacement will remain in effect, but there's a question about what it accomplishes.

Let me describe the one-for-one replacement, because it is not nearly as prescriptive as my friend would have indicated. In the first place, communities will have 54 months after the demolition with which to replace the housing. Secondly, it does not have to be new public housing. We have explicitly added here the ability to do project-based vouchers. We have worked with some of those who in fact try to do HOPE VI, to make it more flexible.

Third, there's a waiver in here. One of the factors in the waiver, the gentleman from Texas correctly mentioned open spaces, one of the desirable things. My colleague from Massachusetts, Mr. CAPUANO, offered an amendment that has been incorporated into the manager's amendment that would say when you apply for a waiver, your willingness to put in more open space would be one of the justifications for a waiver for one-for-one. So we do have flexibility.

On the other hand, I reject the notion that we shouldn't be prescriptive here. This is not the Federal Government reaching out and telling people what to do. This is a restriction on the expenditure of Federal funds for a limited purpose. Here is the problem: we do have a shortage of affordable housing units. We do not want to see a Federal program contribute to a diminution of that. We allowed flexibility in the replacement.

Here's the problem with the gentleman's amendment: most of the people who run housing authorities are decent, hardworking people who have taken on a tough job, and we have tried to help them. But there are political situations in some community where the people running housing authorities are not supportive of this purpose.

What the gentleman's amendment says is if they leave the units vacant, they can then permanently get rid of the units. That is the problem. Going forward it gives people an incentive or reward not to fill the units. Most housing authorities won't be like that, but there is incompetence and there are people who for political reasons say, We don't want these people, they are too much of a problem.

So rewarding housing authorities for leaving units vacant by allowing them,

if the people left them vacant may want to have fewer housing units, allowing them that is a very bad idea. We should have flexibility, I agree with the gentleman. But that is flexibility with the waiver; that is flexibility in how you deliver placement. In other words, show why you're trying to do it. But to diminish the requirement at the outset arbitrarily to reward people for leaving units vacant, to reward the incompetence. People say, We have got too many other units here. We're going to leave them vacant. Remember, elderly housing is a major component. That would be a very grave error.

□ 1215

We have, I believe, in much of this country a shortage.

Now, if a community comes forward and says to HUD, You know what, there is no population here left anymore, there is nobody who wants to live here anymore, those are considerations that can be put into the waiver. So we agree there should be flexibility. That is why we have a waiver component.

By the way, in addition to open space, if you show you are going to do day care facilities, if you show you are going to do health care facilities, that can further justify fewer units. If you say you are going to build more large units for large families, yes, you can trade in a couple of small units for a large unit. All of those are encouraged.

The only thing we disagree with, because we believe we have built flexibility in here, is, as I said, to give people in some cases those who are, and it is not the majority by any means, people who are not supportive of this, give them an incentive to leave housing vacant.

Now, let me say this to the gentleman: His amendment didn't say housing that was physically unoccupiable. I agree the bill does not make that consideration. I would say to the gentleman, going forward, we might be able to work on a situation where units that were physically not habitable might not be counted. I agree with that. If that was the amendment, I think we might be working something out, and I hope we will as it goes forward. But what the gentleman's amendment says, units that are perfectly in good shape, that the authority either can't rent because they are incompetent or decides not to, that those can be disregarded.

So I hope the amendment is defeated. But I would promise to work with the gentleman as we go forward so that units that are in fact not habitable, not occupiable, would not be counted.

I would yield to the gentleman.

Mr. NEUGEBAUER. I thank the gentleman. I do understand that there could be a small minority of housing authorities trying to accomplish some purpose by keeping those units vacant, but I would say we are being probably more prescriptive for the ones that are vacant.

Mr. FRANK of Massachusetts. Taking back my time, I would agree with that if we didn't have a waiver in there, if we didn't have a variety of ways of meeting the one-for-one replacement. It is not all public housing. In fact, one of the things I plan to do in future legislation in cooperation with my colleagues is to go to some of the other housing programs we may have, maybe the Low Income Housing Fund or others, and give a preference to housing authorities who have that HOPE VI obligation. So, in other words, there would be a wide variety of ways in which they could replace the housing, not simply by public housing, because, I agree, that would be self-defeating.

Mr. NEUGEBAUER. If the gentleman would yield, I would appreciate working with the gentleman on that particular provision of making sure that those units that are not habitable now would not be counted.

Mr. FRANK of Massachusetts. I appreciate that. I thank the gentleman.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. NEUGEBAUER).

The question was taken; and the Acting Chairman announced that the yeas appeared to have it.

Mr. NEUGEBAUER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. MAHONEY OF FLORIDA

The Acting CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110-509.

Mr. MAHONEY of Florida. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. MAHONEY of Florida:

Page 5, strike lines 8 through 23, and insert the following:

SEC. 5. MAIN STREET PROJECTS GRANTS.

Section 24 is amended—

(1) by redesignating subsection (n) as subsection (y);

(2) in subsection (1), by striking "subsection (n)" each place such term appears and inserting "subsection (y)"; and

(3) in subsection (m)(3), by striking "subsection (n)" and inserting "subsection (y)".

Page 40, strike lines 19 and 20 and insert the following:

(1) in paragraph (4), by striking "and" at the end;

(2) by redesignating paragraph (5) as paragraph (6); and

(3) by inserting after paragraph (4) the following new paragraph:

Page 40, line 21, strike "(4)" and insert "(5)".

Page 44, line 21, strike "by adding at the end" and inserting "by inserting before subsection (y) (as so redesignated by section 5(1) of this Act)".

The Acting CHAIRMAN. Pursuant to House Resolution 922, the gentleman

from Florida (Mr. MAHONEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MAHONEY of Florida. Mr. Chairman, I rise today to offer an amendment that will preserve the HOPE VI Main Street Grant program. This program, important to rural communities with very small populations, was created with the passage of the American Dream Act of 2003. Since its inception, the program has helped a small number of rural communities develop affordable housing units in conjunction with larger revitalization efforts.

The creation of the HOPE VI Main Street Grant program in 2003 is important to rural communities because it allows rural communities to compete with larger urban areas for HOPE VI dollars.

Mr. Chairman, for those not familiar with the program, the HOPE VI Main Street grants are funded through a 5 percent set-aside in the HOPE VI annual appropriations and each award is capped at \$1 million.

As I noted, this program is extremely important to rural communities such as Moore Haven, Florida. Located on the banks of the Caloosahatchee River in Glades County and one of the most rural areas of Florida, Moore Haven is one of the oldest cities in South Florida. This beautiful, old, sleepy Florida town is home to one doctor, Dr. Geek, and one restaurant. It is one of the few places left in Florida where the families have lived there for generations and everyone knows their neighbor.

Unfortunately, it is also one of the poorest areas in the State. The population of the city is approximately 1,900 people and the annual tax revenue for all of Glades County is \$6 million. The people of Moore Haven have a desire to revitalize their historic downtown area, but they lack the financial resources.

Guided by the vision of Tracy Whirls, the Executive Director of the Glades County Economic Development Council, Moore Haven applied for a HOPE VI Main Street grant last year. The city had hoped to use the money to purchase three historic but dilapidated and vacant buildings, with the intention of attracting businesses to the first floors and 12 affordable housing units on the upper levels. Plans for the first floors included opening Moore Haven's only pharmacy and furniture store.

I regret, Mr. Chairman, that Moore Haven was not successful in its attempt to secure the grant. The good news is that they are game and they are going to apply for it again this year. But I believe it is imperative that we continue to give Moore Haven and small rural cities like Moore Haven across this great Nation this opportunity.

Mr. Chairman, in closing, I would like to leave you with the words of Larry Luckey, the Glades County property appraiser. "If we are unable to

save these historic commercial buildings, the downtown historic district will cease to exist. I am saddened at the thought that we may well become a city with no history."

I would ask for the support of my colleagues to preserve the HOPE VI Main Street Grant program and the economy and history of small towns across America, including Moore Haven. In addition, with the passage of my amendment, we will ensure that rural communities continue to have access to the affordable housing benefits provided by the HOPE VI program.

Mr. Chairman, I yield 1½ minutes to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Mr. Chairman, I want to thank the gentleman for yielding and thank the chairman and chairwoman for their passion and leadership on this very important issue.

I rise today in support of the amendment offered by my good friend and colleague from Florida, Mr. MAHONEY. Mr. Chairman, I represent the First District of North Carolina, which is the 15th poorest district in our country. One of the towns in my district is called Henderson, North Carolina. Last year, this town was one of three, one of three towns across the country, to receive the HOPE VI Main Street grant that this bill attempts to remove.

As we all know, HOPE VI Main Street grants seek to revitalize and rejuvenate older downtown business districts while retaining the area's traditional and historic character. The purpose of this program is to provide assistance to smaller communities in the development of affordable housing and the revitalization and reconfiguration of obsolete commercial offices or buildings into sustainable and affordable housing.

Mr. Chairman, towns like Henderson need these grants. We need these grants to reinvigorate the communities and to spur outside commercial investment. The point is, in closing, that HOPE VI Main Street grants are needed for rural America.

I want to thank Mr. MAHONEY for his leadership and passion and thank him for bringing forth this amendment.

Mr. MAHONEY of Florida. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. MAHONEY).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. SESSIONS

The Acting CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 110-509.

Mr. SESSIONS. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. SESSIONS:
Strike line 18 on page 4 and all that follows through page 5, line 7.

Page 16, lines 20 through 22, strike " , as amended by the preceding provisions of this Act, is further" and insert "is".

Page 16, line 24, strike "(5)" and insert "(4)".

Page 17, line 9, strike "(6)" and insert "(5)".

The Acting CHAIRMAN. Pursuant to House Resolution 992, the gentleman from Texas (Mr. SESSIONS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SESSIONS. Mr. Chairman, I rise in support of this amendment, which strikes the prohibition of the demolition-only grants from the HOPE VI, allowing HUD to retain its current authority to issue these grants as conditions warrant. The original goal of HOPE VI was to eliminate severely distressed public housing, and demolition-only grants continue to play an important role in achieving this goal.

Currently, HUD is allowed to grant demolition-only grants only when necessary and in instances that benefit the community. That means it will be done in consultation with the community. As a result, HUD provides these grants with great discretion. In fact, a demolition-only grant has not been issued by HUD since 2003. Clearly, despite what the opponents of this legislation may claim, HUD has not covertly abused this power to tear down public housing units without reason and, I would suggest to you, without being asked to participate.

However, sometimes public housing authorities have already put together their own financing to redevelop housing, but they lack the funds to tear down the existing distressed facility. In instances like these, common sense dictates that a demolition-only grant under HOPE VI would be appropriate, once again, working with the existing local authority to make sure that what they want is accomplished.

As an added bonus, a cleared site also attracts more Federal and private resources for revitalization efforts, meaning that when local people ask for the support, then it can and would presumably be granted, making the site better.

Another instance in which demolition-only grants make sense is when a severely distressed public housing site is simply not a viable candidate for redevelopment, either because it is only partially occupied or completely vacant, once again, working directly with the local housing authority. In these cases, other forms of housing assistance, like section 8 vouchers, may be more beneficial to community members simply than reconstructing a new building, in particular on the same site, once again, at the discretion of local housing authorities.

The question that every Member should be asking themselves before they vote to eliminate this authority is, if there is no demand for public housing in a certain area, as evidenced by its partially or completely vacant

status, and if the local housing authority is seeking this help, then why on Earth would Congress mandate that HUD create an unwanted supply? It makes no logical or fiscal sense to inefficiently direct these taxpayer dollars where there is no reason or demand to build. Prohibiting demolition-only grants almost guarantees this type of waste would occur.

Additionally and finally, Mr. Chairman, let's not forget that the ultimate goal of this program is to empower people to eventually get off public housing and become self-determined, not simply to create more public housing units. I would submit in the greater scheme of things, it is also to have the Federal Government, through HUD, have the flexibility to work carefully and closely with local housing authorities to make sure that the right thing happens.

By preventing HUD from having the authority to remove dilapidated housing without also rebuilding new units as Congress, we are certainly failing to live up to the spirit of this philosophy. I encourage all of my colleagues to support what I think is a commonsense amendment.

I reserve the balance of my time.

Mr. WATT. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from North Carolina is recognized for 5 minutes.

Mr. WATT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, listening to the gentleman, one would think that the demolition-only program is a harmless program in the Federal Government. It is absolutely true that the Bush administration has decided not to use the demolition-only authority that the statute gives them since 2003, but there are reasons that they have decided not to use the demolition-only authority.

Between 1996 and 2003, administrations made 285 demolition-only grants to 127 public housing authorities that resulted in demolishing, demolishing, 56,755 housing units, affordable housing units, in this country.

□ 1230

And the result was replacing less than half of those demolished housing units because we have had a net loss over that period of 30,000 affordable housing units. So the administration in its good wisdom decided that this was a program that was counterproductive, was contrary in fact to the original objective of the HOPE VI program, and discontinued the use of the authority that it had because it didn't think it was a good program.

Now, the case has been made well by a number of our committee members, Mr. GREEN from Texas in particular, that if there is anybody in America who thinks that there is an excess of affordable housing, they haven't read any statistics. If there is anybody in America who believes there is an excess of affordable public housing, or

public housing, period, in America, they haven't read the statistics.

So why the Federal Government would be giving money to local communities solely to tear down public housing, affordable housing in this country, given the dire shortage of housing in America and the massive existence of homelessness in America, I can't tell you.

Now, HOPE VI allows local communities to demolish distressed public housing; and one of the concerns that this bill addresses is that we have tried to have a program to replace those houses so that people won't be on the street. And that is exactly what HOPE VI does. That part of it we need to retain. The demolition grants need to be terminated. This bill terminates demolition-only grants, and we should support the bill.

I reserve the balance of my time.

Mr. SESSIONS. Mr. Chairman, I appreciate the gentleman. What he said is let's take away the flexibility, notwithstanding that he has a disagreement with what the Clinton and the first term of this President has done.

I think what we are doing is taking a tool away from the toolbox rather than flexibility. I believe it is local people who would ask for this to be done, anyway, and then the Federal Government can participate. But simply to say we have a house and we ought to keep it no matter what, is, in my opinion, a bad argument. It is a bad argument because keeping up something that is bad and needs repair and can't take care of itself, we need to get rid of those. We need to rebuild. That is what HOPE VI is all about. I hope you vote for my amendment.

I yield back the balance of my time.

Mr. WATT. I would just say the gentleman has made the exact point that I tried to make in my argument, probably even more cogently than I made it, that HOPE VI is about not only tearing down but rebuilding. And there is plenty of discretion in local communities inside the HOPE VI program to demolish public housing, as long as there is a plan to put housing back in place. And we have retained that authority to put housing back in place. The bill terminates the authority to just tear down rather than having the obligation to rebuild.

I oppose the gentleman's amendment and encourage my colleagues to vote against it.

I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. SESSIONS).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. SESSIONS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 5 OFFERED BY MS. LEE

The Acting CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 110-509.

Ms. LEE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Ms. LEE:

Page 40, line 4, strike the quotation marks and the second period.

Page 40, after line 4, insert the following:

“(3) PUBLIC HOUSING AND SECTION 8 EVICTION PROVISIONS.—In the case of any public housing or housing assisted under section 8, for which assistance is provided at any time pursuant to a grant for a revitalization plan under this section, the provisions of paragraph (6) of section 6(l) and clause (iii) of section 8(d)(1)(B), respectively, shall apply, except that any criminal or drug-related criminal activity referred to in the matter preceding subparagraph (A) of such paragraph or in the matter preceding subclause (I) of such clause, respectively, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, shall not be cause for termination of tenancy of the tenant if—

“(A) the tenant is an elderly person (as such term is defined in section 202(k) of the Housing Act of 1959 (12 U.S.C. 1701q)) or a person with disabilities (as such term is defined in section 811(k) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(k)), and

“(B) the tenant did not know and should not have known of the activity or the tenant or member of household was the victim of the criminal activity;”.

The Acting CHAIRMAN. Pursuant to House Resolution 922, the gentlewoman from California (Ms. LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LEE. Mr. Chairman, first let me thank Chairman BARNEY FRANK and our chairwoman, Congresswoman MAXINE WATERS, for their hard work in bringing to the floor this very critical legislation that reauthorizes HOPE VI for the first time in 6 years.

As a former member of Congresswoman WATERS' subcommittee, I saw firsthand her leadership on this and so many issues to create and expand affordable housing, to promote fair housing, to improve public housing, and to support the creation of a National Housing Trust Fund, among other initiatives. And so I know that, without her expertise and the chairman's expertise and their commitment, we wouldn't be considering today this truly important HOPE VI reauthorization bill. So I want to thank Congresswoman WATERS and Chairman FRANK for their leadership.

In revitalizing public housing, the HOPE VI program is able to offer precisely that, and that is hope: hope for a better community, hope for a better future. And I know that in my own district, for example, in Oakland, California, the Mandela Gateway HOPE VI initiative is doing just that.

Mr. Chairman, that is why I come to the floor today with a very simple

amendment that builds on this hope. My amendment would allow Congress to stand up for the elderly and the disabled residents of public housing who are unwitting victims of the misdeeds of their relatives or guests. Specifically, this amendment would create a narrow exemption from the eviction rule for those who are elderly or disabled and who have committed no crime and have no knowledge of a crime being committed or are the actual victims of a crime. This amendment will give completely innocent tenants who are the most vulnerable a fighting chance to stay in their homes.

It is sad that we have to stipulate this, but there is a history of these unfair evictions. Let me just share one. In 2002, the Supreme Court reversed the Ninth Circuit Court and upheld the eviction order to remove a 63-year-old woman, Ms. Pearlie Rucker, from her home. The court did so despite the fact that she had committed no crime or had any knowledge that the crime was happening. The Court did so based on the criminal actions of her adult son and daughter, who committed their crime several blocks away from their home. The Court found that, because she had signed a lease that gave public housing authority the right to no-fault evictions, her inability to control the actions of other adults made her a threat to other tenants, and evicted her. This is just plain wrong.

Unfortunately, Pearlie Rucker and her Supreme Court case has become the basis for more forced evictions of people who have committed no crime.

So this amendment certainly does not want to stop our hardworking public housing authorities from providing low-income families with a safe place to live; but innocent, elderly, and disabled tenants must not have their housing rights stripped from them because of the actions of other individuals away from their homes. So as such, it is especially tragic that the elderly and the disabled are the most vulnerable but are the least able to effectively control the actions of their guests as fellow tenants should be held liable and punished for the actions of other adults.

So I urge my colleagues to support this very simple amendment, and again I want to thank Congresswoman WATERS and Chairman FRANK for their leadership and their assistance with this.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today in support of H.R. 3524, to reauthorize the HOPE VI Improvement and Reauthorization Act of 2007, introduced by my distinguished colleague from California, Representative MAXINE WATERS. This important legislation will reauthorize and make changes to the HOPE VI public housing revitalization program. I would like to thank Congresswoman WATERS for her consistent and dedicated work on this important issue, as well as to commend Chairman FRANK for his leadership in bringing this bill to the floor today.

Mr. Chairman, this legislation reauthorizes, with important changes incorporated into the

Manager's Amendment, the HOPE VI public housing revitalization program. Among other provisions, it provides for the retention of public housing units, protects residents from disruptions resulting from the grant, increases resident involvement, and improves the efficiency and expediency of construction. The HOPE VI program, created in 1992, has worked to improve the Nation's most dilapidated public housing units by providing much needed resources to public housing agencies. These funds have directly benefited countless Americans, particularly the elderly and those with disabilities, partnering with local agencies to improve conditions in public housing units and communities. I also support the technical changes made by the Manager's Amendment, and I believe that they will ensure that this legislation works to the maximum benefit of all Americans.

Mr. Chairman, because I believe that this is strong and positive legislation, and I would like to take this opportunity to address a number of amendments offered by my distinguished colleagues. I would like to express my support for the amendment introduced by my colleague, Mr. MAHONEY. This amendment will restore the set-aside funds for the Main Street grant program. Mr. Chairman, this important program provides resources for the revitalization of older, downtown business districts, while retaining an area's historical character. The Main Street grant program enables smaller communities to develop affordable housing while still retaining their traditional identity and roots in the past. I believe that this program is very important to countless communities across the Nation, seeking to provide for their citizens without losing sight of their shared history. I strongly urge my colleagues to join me in supporting Mr. MAHONEY's amendment to restore funding for this program to this legislation.

Mr. Chairman, I also strongly support the amendment introduced by my colleague, Congresswoman LEE. This amendment will safeguard the rights of elderly and disabled tenants living in HOPE VI housing. Congresswoman LEE's amendment prohibits the eviction of elderly or disabled tenants based on the criminal activities of others, provided that the elderly or disabled tenant did not have knowledge of the criminal activity. This important amendment improves the underlying legislation by ensuring that disadvantaged members of our communities are not further victimized for events beyond their control. It allows Congress to stand up for the rights of those living in public housing, preventing the eviction of elderly and disabled residents as the result of the wrongdoing of family members.

However, I must oppose several amendments that I feel will harm the integrity of this bill. I stand opposed to the amendment offered by my colleague and fellow Texan Mr. NEUGEBAUER, limiting the number of dwelling units that housing agencies are required to replace. Under the provisions of this amendment, only those units that are occupied as of the date of the HOPE VI application must be replaced, rather than requiring that all units torn down through the use of HOPE VI grants be replaced on a one-to-one basis. I strongly oppose this change, because I believe it weakens the one-for-one requirement in this legislation by creating incentives for housing agencies to increase the number of vacant units prior to seeking a HOPE VI grant, to de-

crease the overall number of units that must be replaced. I encourage my colleagues to join me in opposing this amendment, and in support of the underlying language.

Mr. Chairman, I also must oppose the amendment offered by my colleague Mr. SESSIONS, reinstating the Department of Housing and Urban Development's authority to issue demolition-only grants. These grants, which have not been issued since 2003, provide resources for the demolition of properties and the relocation of families living there. While this legislation eliminates demolition-only grants, unless the demolition is done in connection with the replacement of dwelling units, ensuring that the total amount of units does not diminish. The adoption of this amendment would gut the strong replacement requirements of the underlying legislation, and would further reduce the already limited affordable housing stock in our nation.

I also oppose the amendment offered by Congressman KING of Iowa. This amendment would prohibit any amount authorized under this legislation from being used to pay wages in compliance with the Davis-Bacon Act. The adoption of this provision would in effect nullify the applicability of Davis-Bacon to the HOPE VI program. Mr. Chairman, the Davis-Bacon Wage Determinations are issued by the U.S. Department of Labor, and they indicate the prevailing wage rates in a region, to be paid on federally funded or assisted construction projects. These standards ensure that workers on Federal projects are paid a fair wage, and I believe it would be extremely detrimental to workers and to our economy as a whole to exempt HOPE VI projects from these standards.

Mr. Chairman, I also stand in opposition to the amendment offered by my colleague Congresswoman CAPITO, eliminating the requirements that all grants must comply with minimum Green Building requirements. I believe today's legislation, as introduced, makes important steps forward toward responsible stewardship of our natural resources, and Ms. CAPITO's proposal that compliance with Green Building requirements be only one factor in the evaluation of grant applications would weaken our effort to protect our global environment. The Capito amendment would weaken the minimum standards for energy efficiency set forth in this bill, and would permit the Department of Housing and Urban Development to propose much weaker green development standards than are currently required under this bill. I urge my colleagues to oppose the Capito amendment, and to keep the language set forth by this legislation.

I strongly urge my colleagues to join me in supporting this extremely important legislation by protecting the integrity of the underlying language, while making the technical corrections included in the Manager's Amendment to ensure that the intent of the legislation can be enacted.

Ms. LEE. I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. KING OF IOWA

The Acting CHAIRMAN. It is now in order to consider amendment No. 6 printed in House Report 110-509.

Mr. KING of Iowa. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. KING of Iowa:

Page 44, line 2, before the closing quotation marks insert the following: "None of the funds authorized to be appropriated under this paragraph may be used to pay wages in compliance with subchapter IV of chapter 31 of title 40, United States Code."

The Acting CHAIRMAN. Pursuant to House Resolution 922, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, the amendment that I offer to this bill that is before us today is an amendment that strikes the requirements for Davis-Bacon wage scale and prohibits any of the funds from going to Davis-Bacon wage scale. And for the information of the body, Davis-Bacon wage scale is a Federal wage scale that was imposed over 75 years ago in this country; and I could go back into the history of it, but the essence of Davis-Bacon wage scale is this: it imposes union scale on all projects and any projects that are \$2,000 or more, which essentially are all projects.

I am a Member of this Congress that has worked and lived under Davis-Bacon wage scale, and I have done that for well over 30 years. I have done the homework, I have done the paperwork, I have put together the spreadsheets, and I dealt with all the employee dynamics that were involved there.

And I make the point, Mr. Chairman, that labor is a commodity like corn or beans or gold or oil or gasoline, and the value of it needs to be determined by the marketplace, not by the government. And for the Federal Government to intervene in a relationship between two people, and a contractual relationship in particular, at the cost of the taxpayer that always favors going to a union scale and is not a prevailing wage but it is in effect a union scale, this authorization as written, if my amendment is not adopted, will cost the taxpayers an additional \$26 million.

And the inflation to construction projects runs between 8 percent and 35 percent. I use the number 20 percent. It is a low average. But I am pledged here to protect the taxpayers, and I believe we need to protect the relationship between the employer and the employee. And if unions want to negotiate, I am all for their ability to do that, but I don't think it should be imposed by statute, a statute that cannot keep up with a change in the wage scale, a statute that is not effective, and one that, according to a Department of Labor Inspector General study, nearly 100 percent of the data cannot be relied upon. It is time to end this practice. It is archaic, and it is time to strike this provision out of here and eliminate Davis-Bacon wage scale.

I reserve the balance of my time.

Mr. SCOTT of Georgia. Mr. Chairman, I rise to oppose the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SCOTT of Georgia. Mr. Chairman, the gentleman from Iowa very cleverly uses the words "union scale." This is not union scale; this is prevailing wage scale. This is set by scientific surveys within a community, based upon what is the prevailing wage in that community. It moves from community to community. There is a reason for that.

Davis-Bacon has been one of the foremost agents that we have been able to use in our entire economic structure to make sure that the American worker has a livable wage that maintains the standards in that community. The Davis-Bacon requirement has been on the books since 1931, and, if I might add, put on by a Republican, one of my opponents' party members, President Hoover, and it has served us well.

Now, this amendment is certainly an amendment that is very timely. Here we are in the throes of a recession, one of the most damaging economic crises that this Nation has faced in the last quarter of a century, and we have the gentleman from Iowa wanting to put on an amendment that would diametrically affect the living wages of the people who need the help the most.

Now, by preventing workers on HOPE VI projects from earning a living wage is certainly not the right way to go. It is a hole in the head bucket strategy, given that those very same workers in the absence of Davis-Bacon protections would be unable to find housing themselves. A part of the HOPE VI mission, Mr. Chairman, is to make construction of units more efficient and to ensure that the HOPE VI housing units are more environmentally friendly and cost effective. The Davis-Bacon prevailing wages helps attract the necessary skilled workforce to build housing in the most efficient and cost-effective manner. This is a bad amendment.

I yield 2 minutes to Mr. GEORGE MILLER to put his statement in the RECORD at this point.

Mr. GEORGE MILLER of California. I thank the gentleman for yielding, and I very much appreciate his remarks against this amendment to eliminate Davis-Bacon.

You cannot build good solid communities on the backs of poor people, and you can't build good solid communities on the back of poor wages, poor working conditions. This is about prevailing wages; it is not about a union wage. They constantly year after year come and mischaracterize this amendment; they mischaracterize the program. But the fact of the matter is the majority in this House understands how important this provision is to working people in this country and to the communities in which these projects are being built. In fact, all projects in this country where we invest taxpayer money, we should get good projects, good wages

and good working conditions for the people on those projects.

I thank the gentleman for his statement.

I rise in strong opposition to the amendment offered by Mr. KING of Iowa.

Here we have a bill to reauthorize the HOPE VI program. That program provides grants to localities for the construction, rehabilitation, and, in some cases, demolition of public housing units. That work is going to be done in some of the poorest neighborhoods in this country. That work is going to be done in areas with some of the highest unemployment in this country.

And what does the King amendment do? It eliminates prevailing wage requirements for this work. It gives the money to contractors who would be free to pay poverty wages and pocket the rest as profit. This amendment worsens the cycle of poverty in the very areas that need the most help.

But that's not all. This is taxpayer money. What do you get when you give taxpayer money to contractors who pay poverty wages and treat their workers poorly? You get shoddy work. And you have to spend more taxpayer money to fix it later.

Let's summarize: The King amendment uses taxpayer money to worsen the cycle of poverty in the poorest neighborhoods in this country. It uses taxpayer money to buy shoddy work that just increases the costs later on. It's difficult to tell who the amendment is trying to hurt the most—the poor neighborhoods, the workers, or the taxpayers. This Amendment is outrageous and should be roundly defeated by this House.

Mr. SCOTT of Georgia. Mr. Chairman, I reserve the balance of my time.

Mr. KING of Iowa. Mr. Chairman, may I inquire of the amount of time remaining for each party.

The Acting CHAIRMAN. The gentleman from Iowa has 3 minutes remaining; the gentleman from Georgia has 1½ minutes remaining.

Mr. KING of Iowa. Mr. Chairman, first of all I say to the gentleman from California, that is offensive to me to say that my 28 years of meeting payroll, my 1,400-some consecutive weeks of making payroll, of providing health insurance and retirement benefits and year-around work for employees and a career path for them is, to take his words, poor wages and poor working conditions. My employees didn't think so, and neither did the people that applied for a job that I didn't have room to hire. That is not the way it works out there in the world. And who in this Congress has some experience that can step forward and say otherwise?

□ 1245

I lived it. I lived it all of my working life. I know what happens when you pay the excavator operator \$28 an hour and the shovel operator \$12 an hour. You can't get the guy on the excavator to get down and pick up the shovel to move a clod. You can't get him to pick up a grease gun. It destroys the relationship on the workplace, and it rearranges everybody's assignments. And so the guy running the finish motor grader is rolling clods out there be-

cause he doesn't want to get off the machine and pick up the grease gun, and your machines wear out. And the boss has got to come to work at 3 o'clock in the morning to do the maintenance. That's what happens when government gets in the way. And it costs money. The inflation goes up; 8 percent, 35 percent. I pick 20 percent. There is \$26.4 million in this bill that is unnecessary.

We have a shortage of labor. We are bringing in millions of people to unskilled jobs here in the United States because we say this economy cannot survive without that. And now we can't go without a union scale. That is union scale, Mr. SCOTT. And you can't show me any statistical evidence otherwise. It is the union operations that file the reports because those that are not union get organized and they get picketed.

These people are smart. They are not foolish about this. And this is a Jim Crow law. We went through this before. This was New York City. It was a Federal building back in 1930 or 1931, and a contractor in New York City decided that he wanted to keep out the low bid that came from Alabama. The low bid came from Alabama because the labor could come from Alabama. Those didn't happen to be white people. Those were African Americans that came up and undercut the union wages in New York and that brought about this "Republican" bill.

So I call it a Jim Crow bill. And I call it a racist bill, and it is one that has been now shoehorned into this economy, into this bill, into this legislation, in order to protect union wage scale.

I have pledged to come here to preserve and protect the free enterprise side of this, the competition that is necessary for the efficiency that is here. And I will also protect the right of individuals to organize and negotiate for a good wage and good benefits. That's also a right we should have in this country.

But this is not about prevailing wage. This is about union pay scale, and it was a bill that was rooted in Jim Crow laws that has now been transferred into union scale.

I urge the adoption of my amendment. Save \$26.4 million and protect the relationship between employers and employees and let me provide a 12-month, year-round job with benefits and retirement funds so that people can plan their future, not hire them for 3 hours and let them go for the next rest of the week.

Mr. SCOTT of Georgia. Mr. Chairman, let it be noted that the gentleman from Iowa, my good friend, is the one who brought up the race card, not I. But I will be the one who quickly puts it back into the middle of the deck, where it should stay and belong forever.

The fact of the matter is this: For 77 years, Mr. Chairman, this country has had the prevailing wage. Not a union

wage. The prevailing wage standards are set by scientific surveys of actual wages paid in the local communities, and anyone awarded a government contract pays at least those prevailing wages. It is not a union scale. If you had union scale, that is it no matter where you go. Prevailing wages are what is established based upon that local economy, that local situation.

You talk about New York. When Hoover put this in in 1931, he didn't put it in for New York. It was for the entire Nation, because we were at the throes of the depression, at the beginning of the depression.

And now in a similar situation, while we are not in the beginning of a depression, but certainly in a recession, you misguidedly, my good friend, want to remove it. How ironic.

Mr. Chairman, this is a terrible amendment. It certainly is not the right time to even think about in any fashion any measure that would constrict the economic sector in this country rather than at a much greater need when we need to expand it, and we need to stand and protect the wage earner and working America on this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. KING of Iowa. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

AMENDMENT NO. 7 OFFERED BY MRS. CAPITO

The Acting CHAIRMAN. It is now in order to consider amendment No. 7 printed in House Report 110-509.

Mrs. CAPITO. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mrs. CAPITO:
Page 10, strike lines 13 through 16.

Page 14, strike "non-mandatory" in lines 5 and 6 and all that follows through line 14, and insert the following: "components of the green building rating system, standard, or code determined by the Secretary pursuant to subsection (1)(3); and"

Strike line 16 on page 14 and all that follows through page 15, line 5, and insert the following: "construction, complies with the components of the green building rating system, standard, or code determined by the Secretary pursuant to subsection (1)(3)."

Page 32, line 13, strike "REQUIREMENT".

Strike line 14 on page 32 and all that follows through page 34, line 9.

Page 34, line 10, strike "(2)" and insert "(1)".

Page 34, line 13, strike "proposed".

Page 34, strike lines 15 through 18, and insert "this section is carried out in accordance with the terms included in the approved plan pursuant to section (e)(2)(C)(xii)".

Page 35, after line 5, insert the following:

"(2) IDENTIFICATION OF GREEN BUILDINGS RATING SYSTEM, STANDARD, OR CODE.—

"(A) IN GENERAL.—For purposes of this section, the Secretary shall identify a rating system, standard, or code for green buildings that the Secretary determines to be a comprehensive and environmentally-sound approach to development of green buildings.

"(B) CRITERIA.—In identifying the green building rating system, standard, or code under this paragraph, the Secretary shall take into consideration—

"(i) the impact of the cost of the enhanced building quality rating systems, standards, or codes on the number of affordable housing units;

"(ii) the ability and availability of assessors and auditors to independently verify the criteria and measurement of metrics at the scale necessary to implement this subsection;

"(iii) the ability of the applicable developer of the rating system, standard, or code to collect and reflect public comment;

"(iv) the ability of the rating system, standard, or code to be developed and revised through a consensus-based process;

"(v) an evaluation of the robustness of the criteria for a high-performance green building, which shall give credit for promoting—

"(I) efficient and sustainable use of land, water, energy, and other natural resources;

"(II) use of renewable energy sources;

"(III) improved indoor environmental quality through enhanced indoor air quality, day lighting, pollutant source control, and use of low-emission materials and building system controls; and

"(IV) such other criteria as the Secretary determines to be appropriate; and

"(vi) whether the rating system, standard, or code is accredited by a national standards developing organization.

"(C) 5-YEAR EVALUATION.—At least once every five years, the Secretary shall conduct a study to evaluate and compare available third-party green building rating systems, standards, and codes, taking into account the criteria specified in subparagraph (B)."

Page 35, lines 9 through 11, strike "national Green Communities criteria checklist and LEED rating systems" and insert "green building rating system, standard, or code".

Page 35, line 13, strike "checklist and systems" and insert "system, standard, or code".

Page 35, strike "the national" in line 20 and all that follows through line 24, and insert the following: "any rating system, standard, or code that the Secretary has determined to be appropriate pursuant to paragraph (3)."

The Acting CHAIRMAN. Pursuant to House Resolution 922, the gentlewoman from West Virginia (Mrs. CAPITO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from West Virginia.

Mrs. CAPITO. Mr. Chairman, I offer this amendment to the HOPE VI bill, and I would like to talk about first of all what this amendment does not do because my fear is the argument on the other side is going to distort what I really think the core of the discussion between my amendment and those opposed should be.

This amendment in no way is an advocate for destroying or throwing out the window environmental or green building standards. That is not my goal or my intention with this amendment. It retains requirements for green building standards, but it looks at how we build green in a different way.

In the bill presently, there is a mandatory building standard that has been a criteria that has been developed by a proprietary preference for one organization. My amendment would simply move this out of a mandated into the green communities specifically mandated criteria, and move it into a more flexible situation where the Secretary would then choose an appropriate green building standard, green building rating system and code that would address environmental considerations, and leaves flexibility for the Secretary, this Secretary and secretaries to follow, to be able to determine that criteria.

We are going to be building these HOPE VI projects all across this Nation, and I think it is important to note that there should be some geographic considerations for green building standards across the country.

We are also trying to find the best way to use our Federal dollars, to maximize the number of Federal housing units, while still adhering to good environmental standards.

I have listened a lot over the last 60 years to housing projects that have been made, destroyed and rebuilt and why some of them haven't lasted as long as they should. I think by putting this amendment forward, I think I am taking into consideration that what we know today to be a good green building standard and to be in the best interest of an environment or a community or a quality of life in 3 years may be outdated. The technology may not be in front of us now that says if you look at your water this way or your air this way or your environmental considerations for the landscaping, that there is going to be a better way in 3 years.

In this bill, I think we are locking down a certain proprietary developed standard for green building. I think in selecting appropriate green building criteria, this gives HUD the ability to choose a green building system, a standard or code, in an open, consensus-based way. That is why I put forward this amendment to give HUD the flexibility not only for today but for the future.

Again, I want to reiterate what this amendment does not do. It does not have a goal in mind of undercutting green building in an environmentally stable way to create new HOPE VI projects. Also in this amendment, it also requires the Secretary to conduct a review once every 5 years to determine if the chosen system and standard or code is still relevant, and I think that is appropriate in terms of innovation.

Mr. Chairman, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Chairman, first, there are two points,

and the gentlewoman tends to confuse the two. One is should there be flexibility in the standard. Both versions have that. Our version says the green communities or a standard promulgated by the Secretary, but we say it has to be substantially equivalent in what it accomplishes.

Secondly and more important, the bill with the manager's amendment says that a green component must be in any HOPE VI application. The gentlewoman dilutes that. She says it will be one factor that can be considered. But under her proposal, if you are very strong elsewhere, they would not have to be very much in the green. So there is a real difference there. We both say it is a good idea, but the bill says you must include the green component. Her bill says you may include the green component. You will get points if you do, but you might not. Both have flexibility as to how you reach that.

Now I yield 2 minutes to the gentleman from Massachusetts (Mr. OLVER), the chairman of the Appropriations Subcommittee on HUD and Transportation.

Mr. OLVER. Mr. Chairman, I have high respect for the gentlewoman from West Virginia, the ranking member of the subcommittee. In fact, I occupy now the apartment that she used before upgrading.

But arguments in the builders' letter to Members promoting the amendment are specious and deliberately misleading. First of all, all references to LEED have been removed. Secondly, the letter greatly exaggerates the cost of green community criteria which are so strongly supported by the U.S. Council of Mayors and 40 other major organizations.

A well-documented study of some 20 completed projects using these criteria, completed projects using these criteria, showed an average of only 2.4 percent increase in cost. We all need to remember that we build housing for 50 to 100 years. The small increased construction costs produce huge savings in lower monthly bills for energy for tenants. The low-income tenants have all of the remaining 50 years to accrue those savings after the payback comes within the first 5 to 7 years of the program.

I urge defeat of the amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, I reserve the balance of my time.

Mrs. CAPITO. Mr. Chairman, I would like to ask the gentleman if I left the apartment environmentally stable? I think I did.

I yield 1 minute to my colleague from the Committee on Financial Services, the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. Mr. Chairman, I thank my colleague and appreciate her leadership.

Leave it to my colleagues on the other side of the aisle to make an inefficient program even more inefficient. By imposing these arbitrary and

uncredited green standards, it will drive up construction costs. And in the end, that means we will have fewer units put out in this housing program. And it also delays the spending of the \$1.3 billion HOPE VI surplus that we currently have.

I think it is a better use of the money to allow the Secretary to establish standards that are appropriate for the region, appropriate for the product being put out, and this gives the flexibility to do that.

What I would say is that the Capito amendment still allows for green standards, high, strong, green standards, but it does not impose arbitrary standards. It allows for a collaborative effort for this to go forward, and it strikes the right balance, not a one-size-fits-all approach.

I urge adoption of her amendment.

The Acting CHAIRMAN. The gentlewoman from West Virginia has 30 seconds remaining.

Mrs. CAPITO. Mr. Chairman, I would encourage a "yes" vote for my amendment to give the flexibility, to give the innovation and technology that we see every day in green and environmental building standards to move forward so we don't lock down in this bill.

And when the gentleman just briefly says that the LEED standards were removed from the commercial building, yes, they were removed. Why? Because the union of carpenters that we heard about earlier were raising Cain because they were going to have to get their wood from imported wood to be able to meet these standards. That goes right to my point. We need to be reasonable, but we also need to make sure that we protect our environment and move forward with the best communities we can.

Mr. FRANK of Massachusetts. First, Mr. Chairman, yes, the carpenters objected to the LEED standard. They did not object to the green community standard. We thought the objection was reasonable and met it.

Secondly, again, the bill, without the gentlewoman's amendment, does provide flexibility. We say, however, that when HUD does an alternative proposal, it has to meet the minimum standard. That is the difference.

□ 1300

We put in the minimum. The other difference is that her amendment would allow some of the projects to go forward without green components, depending on how they were otherwise rated and others would not.

I yield for the remainder of our time to the head of our Subcommittee on Energy Efficiency for the Financial Services Committee, my colleague, Mr. PERLMUTTER of Colorado.

Mr. PERLMUTTER. I thank the chairman. I thank the chairwoman for bringing this bill. And Congresswoman CAPITO and I are part of this energy efficiency task force. And I know that she has strong feelings toward building in an energy-efficient, sustainable way.

We have a big difference of opinion as to property rights on this one. And it's unusual, here in this instance, the Federal Government is the owner and the financier of these projects. It has the right, as any property owner does, as any owner does, to say how it wants its building built. And that's what's done within this proposal, within this bill, and that is to build these units in a green fashion. And so that, I think, is appropriate. It is an appropriate exercise of ownership to say we want these to be green. And the people of the United States of America in this last election said we have to be more energy conscious. We have to figure out a change to how we power this Nation and how we consume energy, and this is where we get started as a Federal Government.

Now, one of the things we've talked about is the flexibility within the bill as to the standards to be used. We use the words "substantially equivalent." And if, in fact, HUD or EPA or the Department of Energy is being recalcitrant, isn't following through on developing substantially equivalent standards, you can bet that our side of the aisle will work with you and the various Departments to make sure they get off their fannies and they do develop some substantially equivalent standards so that there is flexibility.

This is a good bill. This is a bad amendment. I urge a "no" vote.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from West Virginia (Mrs. CAPITO).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mrs. CAPITO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from West Virginia will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 110-509 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. WATERS of California.

Amendment No. 2 by Mr. NEUGEBAUER of Texas.

Amendment No. 4 by Mr. SESSIONS of Texas.

Amendment No. 6 by Mr. KING of Iowa.

Amendment No. 7 by Mrs. CAPITO of West Virginia.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

AMENDMENT NO. 1 OFFERED BY MS. WATERS

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California

(Ms. WATERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 388, noes 20, not voting 27, as follows:

[Roll No. 12]

AYES—388

Abercrombie	Crowley	Holden
Ackerman	Cubin	Holt
Aderholt	Cuellar	Honda
Alexander	Culberson	Hooley
Allen	Cummings	Hoyer
Altmire	Davis (AL)	Hulshof
Andrews	Davis (CA)	Inglis (SC)
Arcuri	Davis (KY)	Inslee
Bachmann	Davis, David	Israel
Bachus	Davis, Lincoln	Issa
Baird	Davis, Tom	Jackson (IL)
Baldwin	DeFazio	Jackson-Lee
Barrow	DeGette	(TX)
Barton (TX)	DeLauro	Johnson (GA)
Bean	Dent	Johnson (IL)
Becerra	Dicks	Johnson, E. B.
Berman	Dingell	Jones (NC)
Biggert	Doggett	Jones (OH)
Bilbray	Donnelly	Jordan
Bilirakis	Doolittle	Kagen
Bishop (GA)	Doyle	Kanjorski
Bishop (NY)	Drake	Kaptur
Bishop (UT)	Dreier	Keller
Blackburn	Duncan	Kennedy
Blumenauer	Edwards	Kildee
Blunt	Ehlers	Kilpatrick
Boehner	Ellison	Kind
Bonner	Ellsworth	King (IA)
Bono Mack	Emanuel	King (NY)
Boozman	Emerson	Kirk
Bordallo	Engel	Klein (FL)
Boren	English (PA)	Kline (MN)
Boswell	Eshoo	Knollenberg
Boucher	Etheridge	Kucinich
Boustany	Everett	Kuhl (NY)
Boyd (FL)	Fallin	LaHood
Boyd (KS)	Farr	Lampson
Brady (PA)	Fattah	Langevin
Brady (TX)	Ferguson	Larsen (WA)
Braley (IA)	Filner	Larson (CT)
Brown, Corrine	Fortenberry	Latham
Brown-Waite,	Fortuño	LaTourette
Ginny	Fox	Latta
Buchanan	Frank (MA)	Lee
Burgess	Frelinghuysen	Levin
Burton (IN)	Gallely	Lewis (CA)
Butterfield	Gerlach	Lewis (GA)
Buyer	Giffords	Lipinski
Calvert	Gilchrest	LoBiondo
Camp (MI)	Gillibrand	Loeb
Cantor	Gingrey	Loeb
Capito	Gohmert	Loewen
Capps	Gonzalez	Lucas
Capuano	Goode	Lungren, Daniel
Cardoza	Goodlatte	E.
Carnahan	Granger	Lynch
Carney	Graves	Mahoney (FL)
Carter	Green, Al	Maloney (NY)
Castle	Green, Gene	Manzullo
Castor	Grijalva	Marchant
Chabot	Gutierrez	Markey
Chandler	Hall (NY)	Marshall
Christensen	Hall (TX)	Matheson
Clarke	Hare	Matsui
Clay	Harman	McCarthy (CA)
Cleaver	Hastings (FL)	McCarthy (NY)
Clyburn	Hastings (WA)	McCaul (TX)
Coble	Hayes	McCollum (MN)
Cohen	Heller	McCotter
Cole (OK)	Herger	McCreary
Conaway	Herseth Sandlin	McDermott
Conyers	Higgins	McGovern
Cooper	Hill	McHenry
Costa	Hinche	McHugh
Costello	Hinojosa	McIntyre
Courtney	Hirono	McKeon
Cramer	Hodes	McMorris
Crenshaw	Hoekstra	Rodgers

McNerney	Rangel	Space
McNulty	Regula	Spratt
Meek (FL)	Rehberg	Stark
Meeks (NY)	Reichert	Stupak
Melancon	Renzi	Sullivan
Mica	Reyes	Sutton
Michaud	Reynolds	Tancredo
Miller (MI)	Richardson	Tanner
Miller (NC)	Rodriguez	Tauscher
Miller, George	Rogers (AL)	Taylor
Mitchell	Rogers (KY)	Terry
Mollohan	Rogers (MI)	Thompson (CA)
Moore (KS)	Rohrabacher	Thompson (MS)
Moore (WI)	Ros-Lehtinen	Thornberry
Moran (KS)	Roskam	Tiahrt
Moran (VA)	Ross	Tiberi
Murphy (CT)	Rothman	Tierney
Murphy, Patrick	Roybal-Allard	Towns
Murphy, Tim	Ruppersberger	Tsongas
Murtha	Rush	Turner
Musgrave	Ryan (OH)	Udall (CO)
Myrick	Ryan (WI)	Udall (NM)
Nadler	Salazar	Upton
Napolitano	Sali	Van Hollen
Neal (MA)	Sánchez, Linda	Velázquez
Neugebauer	T.	Walberg
Norton	Sanchez, Loretta	Walden (OR)
Nunes	Sarbanes	Walsh (NY)
Oberstar	Saxton	Walsh (MN)
Obey	Schakowsky	Wamp
Olver	Schiff	Wasserman
Ortiz	Schwartz	Schultz
Pallone	Scott (GA)	Waters
Pascarell	Scott (VA)	Watson
Pastor	Sensenbrenner	Watt
Payne	Serrano	Waxman
Pearce	Sessions	Weiner
Perlmutter	Sestak	Welch (VT)
Peterson (MN)	Shadegg	Weldon (FL)
Peterson (PA)	Shays	Weller
Petri	Shea-Porter	Westmoreland
Pickering	Shuler	Wexler
Pitts	Shuster	Whitfield (KY)
Platts	Simpson	Wilson (NM)
Poe	Sires	Wilson (OH)
Pomeroy	Skelton	Wittman (VA)
Porter	Slaughter	Wolf
Price (GA)	Smith (NE)	Woolsey
Price (NC)	Smith (NJ)	Wynn
Pryce (OH)	Smith (TX)	Yarmuth
Putnam	Smith (WA)	Young (AK)
Radanovich	Snyder	Young (FL)
Rahall	Solis	
Ramstad	Souder	

NOES—20

Akin	Flake	Mack
Barrett (SC)	Franks (AZ)	Miller (FL)
Bartlett (MD)	Garrett (NJ)	Pence
Broun (GA)	Hensarling	Royce
Campbell (CA)	Johnson, Sam	Stearns
Cannon	Lamborn	Wilson (SC)
Feeney	Linder	

NOT VOTING—27

Baca	Diaz-Balart, M.	Lantos
Baker	Faleomavaega	Lewis (KY)
Berkley	Forbes	Miller, Gary
Berry	Fossella	Paul
Brown (SC)	Gordon	Schmidt
Davis (IL)	Hobson	Sherman
Deal (GA)	Hunter	Shimkus
Delahunt	Jefferson	Visclosky
Diaz-Balart, L.	Kingston	Wu

□ 1321

Messrs. LAMBORN, BARRETT of South Carolina, BARTLETT of Maryland and MACK changed their vote from “aye” to “no.”

Messrs. BURGESS, CHABOT, Mrs. BONO, Mr. MACK and Mr. CONAWAY changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR.

NEUGEBAUER

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. NEUGEBAUER) on which further pro-

ceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 227, not voting 27, as follows:

[Roll No. 13]

AYES—181

Aderholt	Gallely	Nunes
Akin	Garrett (NJ)	Pearce
Alexander	Gerlach	Pence
Bachmann	Gilchrest	Peterson (PA)
Bachus	Gingrey	Petri
Barrett (SC)	Gohmert	Pickering
Bartlett (MD)	Goode	Pitts
Barton (TX)	Goodlatte	Platts
Biggert	Granger	Poe
Bilbray	Graves	Porter
Bilirakis	Hall (TX)	Price (GA)
Bishop (UT)	Hastings (WA)	Pryce (OH)
Blackburn	Hayes	Putnam
Blunt	Heller	Radanovich
Bonner	Hensarling	Ramstad
Bono Mack	Herger	Regula
Boozman	Hoekstra	Rehberg
Boustany	Hulshof	Reichert
Brady (TX)	Inglis (SC)	Reynolds
Broun (GA)	Issa	Rogers (AL)
Brown-Waite,	Johnson (IL)	Rogers (KY)
Ginny	Johnson, Sam	Rogers (MI)
Buchanan	Jones (NC)	Rohrabacher
Burgess	Jordan	Ros-Lehtinen
Burton (IN)	Keller	Roskam
Buyer	King (IA)	Royce
Calvert	King (NY)	Ryan (WI)
Camp (MI)	Kirk	Sali
Campbell (CA)	Kiame (MN)	Saxton
Cannon	Knollenberg	Sensenbrenner
Cantor	Kuhl (NY)	Sessions
Capito	LaHood	Shadegg
Carney	Lamborn	Shuster
Carter	Latham	Simpson
Chabot	LaTourette	Smith (NE)
Coble	Latta	Smith (TX)
Cole (OK)	Lewis (CA)	Smith (TX)
Conaway	Linder	Souder
Crenshaw	LoBiondo	Stearns
Cubin	LoBiondo	Sullivan
Culberson	Lucas	Tancredo
Davis (KY)	Lungren, Daniel	Terry
Davis, David	E.	Thornberry
Davis, Tom	Mack	Tiahrt
Dent	Manzullo	Tierney
Doolittle	Marchant	Turner
Drake	McCarthy (CA)	Upton
Dreier	McCaul (TX)	Walberg
Duncan	McCotter	Walden (OR)
Ehlers	McCreary	Walsh (NY)
Emerson	McHenry	Wamp
English (PA)	McHugh	Weldon (FL)
Everett	McKeon	Weller
Fallin	McMorris	Westmoreland
Feeney	Rodgers	Whitfield (KY)
Ferguson	Mica	Wilson (NM)
Flake	Miller (FL)	Wilson (SC)
Fortenberry	Miller (MI)	Wittman (VA)
Fortuño	Moran (KS)	Wolf
Fox	Murphy, Tim	Young (AK)
Franks (AZ)	Musgrave	Young (FL)
Frelinghuysen	Myrick	
	Neugebauer	

NOES—227

Abercrombie	Bishop (GA)	Butterfield
Ackerman	Bishop (NY)	Capps
Allen	Blumenauer	Capuano
Altmire	Bordallo	Cardoza
Andrews	Boren	Carnahan
Arcuri	Boswell	Castle
Baird	Boucher	Castor
Baldwin	Boyd (FL)	Chandler
Barrow	Boyd (KS)	Christensen
Bean	Brady (IA)	Clarke
Becerra	Brady (PA)	Clay
Berman	Brown, Corrine	Cleaver

Clyburn	Kagen	Rangel
Cohen	Kanjorski	Renzi
Conyers	Kaptur	Reyes
Cooper	Kennedy	Richardson
Costa	Kildee	Rodriguez
Costello	Kilpatrick	Ross
Courtney	Kind	Rothman
Cramer	Klein (FL)	Roybal-Allard
Crowley	Kucinich	Ruppersberger
Cuellar	Lampson	Rush
Cummings	Langevin	Ryan (OH)
Davis (AL)	Larsen (WA)	Salazar
Davis (CA)	Larson (CT)	Sánchez, Linda
Davis, Lincoln	Lee	T.
DeFazio	Levin	Sanchez, Loretta
DeGette	Lewis (GA)	Sarbanes
DeLauro	Lipinski	Schakowsky
Dicks	Loeb sack	Schiff
Dingell	Lofgren, Zoe	Schwartz
Doggett	Lowey	Scott (GA)
Donnelly	Lynch	Scott (VA)
Doyle	Mahoney (FL)	Serrano
Edwards	Maloney (NY)	Sestak
Ellison	Markey	Shays
Ellsworth	Marshall	Shea-Porter
Emanuel	Matheson	Shuler
Engel	Matsui	Sires
Eshoo	McCarthy (NY)	Skelton
Etheridge	McCollum (MN)	Slaughter
Farr	McDermott	Smith (NJ)
Fattah	McGovern	Smith (WA)
Filner	McIntyre	Snyder
Frank (MA)	McNerney	Solis
Giffords	McNulty	Space
Gillibrand	Meek (FL)	Spratt
Gonzalez	Meeks (NY)	Stark
Gordon	Melancon	Stupak
Green, Al	Michaud	Sutton
Green, Gene	Miller (NC)	Tanner
Grijalva	Miller, George	Tauscher
Gutierrez	Mitchell	Taylor
Hall (NY)	Mollohan	Thompson (CA)
Hare	Moore (KS)	Thompson (MS)
Harman	Moore (WI)	Tierney
Hastings (FL)	Moran (VA)	Towns
Herseth Sandlin	Murphy (CT)	Murphy (CT)
Higgins	Murphy, Patrick	Tsongas
Hill	Murtha	Udall (CO)
Hinche y	Nadler	Udall (NM)
Hinojosa	Napolitano	Barton (TX)
Hirono	Neal (MA)	Velázquez
Hodes	Norton	Walz (MN)
Holden	Oberstar	Wasserman
Holt	Obey	Schultz
Honda	Oliver	Waters
Hooley	Ortiz	Watson
Hoyer	Pallone	Watt
Insl ee	Pascr ell	Waxman
Israel	Pastor	Weiner
Jackson (IL)	Payne	Welch (VT)
Jackson-Lee	Perlmutt er	Wexler
(TX)	Peter son (MN)	Wilson (OH)
Johnson (GA)	Pomeroy	Woolsey
Johnson, E. B.	Price (NC)	Wynn
Jones (OH)	Rahall	Yarmuth

NOT VOTING—27

Baca	Diaz-Balart, L.	Lantos
Baker	Diaz-Balart, M.	Lewis (KY)
Berkley	Faleomavaega	Miller, Gary
Berry	Forbes	Paul
Boehner	Fossella	Schmidt
Brown (SC)	Hobson	Sherman
Davis (IL)	Hunter	Shimkus
Deal (GA)	Jefferson	Visclosky
Delahunt	Kingston	Wu

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1336

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, on Thursday, January 17, 2008. I was unavoidably detained and thus I missed rollcall votes No. 12 through 13. Had I been present, I would have voted in the following manner:

On rollcall vote No. 12, the Waters Amendment to H.R. 3524, the HOPE VI Improvement and Reauthorization Act of 2007, I would have voted "aye."

On rollcall vote No. 13, the Neugebauer Amendment to H.R. 3524, the HOPE VI Improvement and Reauthorization Act of 2007, I would have voted "aye."

AMENDMENT NO. 4 OFFERED BY MR. SESSIONS

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. SESSIONS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 221, not voting 28, as follows:

[Roll No. 14]

AYES—186

Aderholt	Ferguson	McKeon
Akin	Flake	McMorris
Alexander	Fortenberry	Rodgers
Bachmann	Portuño	Mica
Bachus	Foxx	Miller (FL)
Barrett (SC)	Franks (AZ)	Miller (MI)
Bartlett (MD)	Frelinghuysen	Moran (KS)
Barton (TX)	Gallegly	Murphy, Tim
Biggert	Garrett (NJ)	Musgrave
Bilbray	Gerlach	Myrick
Bilirakis	Gilchrest	Neugebauer
Bishop (UT)	Gingrey	Nunes
Blackburn	Gohmert	Pearce
Blunt	Goode	Pence
Bonner	Goodlatte	Peterson (PA)
Bono Mack	Granger	Petri
Boozman	Graves	Pickering
Boustany	Hall (TX)	Pitts
Brady (TX)	Hastings (WA)	Platts
Broun (GA)	Hayes	Poe
Brown-Waite,	Heller	Porter
Ginny	Hensarling	Price (GA)
Buchanan	Hergert	Pryce (OH)
Burgess	Hoekstra	Putnam
Burton (IN)	Hulshof	Ramstad
Buyer	Inglis (SC)	Regula
Calvert	Issa	Rehberg
Camp (MI)	Johnson (IL)	Reichert
Campbell (CA)	Johnson, Sam	Renzi
Cannon	Jones (NC)	Reynolds
Cantor	Jordan	Rogers (AL)
Capito	Keller	Rogers (KY)
Carney	King (IA)	Rogers (MI)
Carter	King (NY)	Rohrabacher
Castle	Kirk	Ros-Lehtinen
Chabot	Kline (MN)	Roskam
Coble	Knollenberg	Royce
Cole (OK)	Kuhl (NY)	Ryan (WI)
Conaway	LaHood	Sali
Crenshaw	Lamborn	Saxton
Cubin	Latham	Sensenbrenner
Culberson	LaTourette	Sessions
Davis (KY)	Latta	Shadegg
Davis, David	Lewis (CA)	Shays
Davis, Tom	Linder	Shuster
Dent	LoBiondo	Simpson
Diaz-Balart, L.	Lucas	Smith (NE)
Diaz-Balart, M.	Lungren, Daniel	Smith (NJ)
Doolittle	E.	Smith (TX)
Drake	Mack	Souder
Dreier	Manzullo	Stearns
Duncan	Marchant	Sullivan
Ehlers	McCarthy (CA)	Tancredo
Emerson	McCaull (TX)	Terry
English (PA)	McCotter	Thornberry
Everett	McCrery	Tiahrt
Fallin	McHenry	Tiberi
Feeney	McHugh	Turner

Upton	Weldon (FL)	Wilson (SC)
Walberg	Weller	Wittman (VA)
Walden (OR)	Westmoreland	Woff
Walsh (NY)	Whitfield (KY)	Young (AK)
Wamp	Wilson (NM)	Young (FL)

NOES—221

Abercrombie	Hall (NY)	Norton
Allen	Hare	Oberstar
Altmire	Harman	Obey
Andrews	Hastings (FL)	Olver
Arcuri	Herseth Sandlin	Ortiz
Baird	Higgins	Pallone
Baldwin	Hill	Pascr ell
Barrow	Hinche y	Pastor
Bean	Hinojosa	Payne
Becerra	Hirono	Perlmutt er
Berman	Hodes	Peter son (MN)
Bishop (GA)	Holden	Pomeroy
Bishop (NY)	Holt	Price (NC)
Blumenauer	Honda	Rahall
Bordallo	Hooley	Rangel
Boren	Hoyer	Reyes
Boswell	Insl ee	Richardson
Boucher	Israel	Rodriguez
Boyd (FL)	Jackson (IL)	Ross
Boyda (KS)	Jackson-Lee	Rothman
Brady (PA)	(TX)	Roybal-Allard
Braley (IA)	Johnson (GA)	Ruppersberger
Brown, Corrine	Johnson, E. B.	Rush
Butterfield	Jones (OH)	Ryan (OH)
Capps	Kagen	Salazar
Capuano	Kanjorski	Sánchez, Linda
Cardoza	Kaptur	T.
Carnahan	Kennedy	Sanchez, Loretta
Castor	Kildee	Sarbanes
Chandler	Kilpatrick	Schakowsky
Christensen	Kind	Schiff
Clarke	Klein (FL)	Schwartz
Clay	Kucinich	Scott (GA)
Cleaver	Lampson	Scott (VA)
Clyburn	Langevin	Serrano
Cohen	Larsen (WA)	Sestak
Conyers	Larson (CT)	Shea-Porter
Cooper	Lee	Shuler
Costa	Levin	Sires
Costello	Lewis (GA)	Skelton
Courtney	Lipinski	Slaughter
Cramer	Loeb sack	Smith (WA)
Crowley	Lofgren, Zoe	Snyder
Cuellar	Lowey	Solis
Cummings	Lynch	Space
Davis (AL)	Mahoney (FL)	Spratt
Davis (CA)	Maloney (NY)	Stark
Davis, Lincoln	Markey	Stupak
DeFazio	Marshall	Sutton
DeGette	Matheson	Tanner
DeLauro	Matsui	Tauscher
Dicks	McCarthy (NY)	Taylor
Dingell	McCollum (MN)	Thompson (CA)
Doggett	McDermott	Thompson (MS)
Donnelly	McGovern	Tierney
Doyle	McIntyre	Towns
Edwards	McNerney	Tsongas
Ellison	McNulty	Udall (CO)
Ellsworth	Meek (FL)	Udall (NM)
Emanuel	Meeks (NY)	Van Hollen
Engel	Melancon	Velázquez
Eshoo	Michaud	Walz (MN)
Etheridge	Miller (NC)	Wasserman
Farr	Miller, George	Schultz
Fattah	Mitchell	Waters
Filner	Mollohan	Watson
Frank (MA)	Moore (KS)	Watt
Giffords	Moore (WI)	Waxman
Gillibrand	Moran (VA)	Weiner
Gonzalez	Murphy (CT)	Welch (VT)
Gordon	Murphy, Patrick	Wexler
Green, Al	Murtha	Wilson (OH)
Green, Gene	Nadler	Woolsey
Grijalva	Napolitano	Yarmuth
Gutierrez	Neal (MA)	

NOT VOTING—28

Ackerman	Faleomavaega	Paul
Baca	Forbes	Radanovich
Baker	Fossella	Schmidt
Berkley	Hobson	Sherman
Berry	Hunter	Shimkus
Boehner	Jefferson	Visclosky
Brown (SC)	Kingston	Wu
Davis (IL)	Lantos	Wynn
Deal (GA)	Lewis (KY)	
Delahunt	Miller, Gary	

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.