

**AMENDMENT TO H.R. 1227**  
**OFFERED BY MR. CLEAVER OF MISSOURI**

Page 12, after line 24, add the following new section:

1 **SEC. 204. PROTECTION FOR PUBLIC HOUSING RESIDENTS**  
2 **IN HURRICANE AREAS.**

3 (a) **CONDITIONS ON TRANSFER.**—During the two  
4 year period beginning on the date of the enactment of this  
5 Act, a public housing agency may not transfer ownership  
6 of any public housing dwelling units located in any area  
7 for which major disaster or emergency was declared by  
8 the President pursuant to the Robert T. Stafford Disaster  
9 Relief and Emergency Assistance Act as a result of Hurri-  
10 cane Katrina or Rita of 2005 unless the transferee enters  
11 into such binding commitments as the Secretary of Hous-  
12 ing and Urban Development considers necessary to main-  
13 tain, for the longest feasible period, the requirements re-  
14 garding eligibility for occupancy in such dwelling units and  
15 tenant contribution toward rent for such dwelling units  
16 that are applicable to such units as public housing dwell-  
17 ing units.

18 (b) **CONDITIONS ON DEMOLITION.**—After the date of  
19 the enactment of this Act, a public housing agency may

1 not dispose or demolish any dwelling units located in any  
2 area referred to in subsection (a), except pursuant to a  
3 plan for replacement of such units in accordance with, and  
4 approved by the Secretary of Housing and Urban Develop-  
5 ment pursuant to, subsection (c).

6 (c) PLAN REQUIREMENT.—The Secretary of Housing  
7 and Urban Development may not approve a plan that pro-  
8 vides for demolition or disposition of any dwelling unit of  
9 public housing referred to in subsection (b) unless such  
10 plan complies with the requirements under paragraphs  
11 (1), (2), (3), (6), and (7) of section 203(b), except that  
12 such paragraphs shall be applied for purposes this sub-  
13 section by substituting “the public housing agency” and  
14 “applicable unit of general local government” for “such  
15 Housing Authority” and “City of New Orleans”, respec-  
16 tively.

17 (d) RELOCATION ASSISTANCE.—A public housing  
18 agency shall provide, to each household relocated pursuant  
19 to a plan under this section for demolition or disposition,  
20 assistance under the Uniform Relocation Assistance and  
21 Real Property Acquisitions Policy Act of 1970 for reloca-  
22 tion to their new residence.

23 (e) RIGHT OF RETURN.—A public housing agency ad-  
24 ministering or operating public housing dwelling units in  
25 any area referred to in subsection (a) has the obligation—

1           (1) to use its best efforts to locate tenants dis-  
2           placed from such public housing as a result of Hur-  
3           ricane Katrina or Rita; and

4           (2) to provide such residents occupancy in pub-  
5           lic housing dwelling units of such agency that be-  
6           come available for occupancy, and to ensure such  
7           residents a means to exercise such right of return.

8           (f) INAPPLICABILITY OF CERTAIN PROJECT-BASED  
9           VOUCHER LIMITATIONS.—Subparagraphs (B) and (D) of  
10          section 8(o)(13) of the United States Housing Act of 1937  
11          (42 U.S.C. 1437f(o)(13)) shall not apply with respect to  
12          any project-based vouchers used to comply with the re-  
13          quirements of a plan under subsection (c).

14          (g) PROHIBITION ON DISPLACEMENT FROM HABIT-  
15          ABLE UNITS.—A public housing agency may not displace  
16          a tenant from any public housing dwelling unit in any area  
17          referred to in subsection (a) that is administered or oper-  
18          ated by such agency and is habitable (including during any  
19          period of rehabilitation), unless the agency provides a suit-  
20          able and comparable dwelling unit for such tenant in the  
21          same local community as such public housing dwelling  
22          unit.