

109TH CONGRESS
2^D SESSION

H. R. 5393

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

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2006

Mr. BAKER (for himself and Mr. FRANK of Massachusetts) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Natural Disaster
5 Housing Reform Act of 2006”.

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

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

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

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

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

8 (e) HOUSING ASSISTANCE.—For purposes of this sec-
9 tion, the term “housing assistance” means any assistance
10 that is provided to individuals, families, or households to
11 respond to disaster-related housing needs of individuals,
12 families, or households who are displaced from their
13 predisaster primary residences or whose predisaster pri-
14 mary residences are rendered uninhabitable as a result of
15 damage caused by a major disaster pursuant to—

16 (1) the Robert T. Stafford Disaster Relief and
17 Emergency Assistance Act (42 U.S.C. 5121 et
18 seq.); or

19 (2) any other provision of law specifically pro-
20 viding funds or assistance in connection with a
21 major disaster.

22 Such term includes financial assistance, the provision of
23 temporary, transitional, and permanent housing units, as-
24 sistance for repair, replacement, and construction of hous-

1 ing units, technical assistance, and any other form or type
2 of housing assistance.

3 (f) DETERMINATION OF LONG-TERM HOUSING
4 NEEDS.—Section 408(b) of the Robert T. Stafford Dis-
5 aster Relief and Emergency Assistance Act (42 U.S.C.
6 5174) is amended—

7 (1) by redesignating paragraph (2) as para-
8 graph (3); and

9 (2) by inserting after paragraph (1) the fol-
10 lowing new paragraph:

11 “(2) DETERMINATION OF AREAS FOR WHICH
12 DISASTER RESULTS IN LONG-TERM HOUSING
13 NEEDS.—

14 “(A) STATE REQUEST.—After the occur-
15 rence and declaration of a major disaster, the
16 Governor of a State containing any area that is
17 subject to the declaration by the President of
18 such major disaster may request the President
19 to determine, for all or any part of such area
20 in the State, that the disaster will result in
21 long-term housing needs.

22 “(B) STANDARD.—Upon a request pursu-
23 ant to subparagraph (A), the President shall
24 determine whether to grant such request. The
25 President shall grant such a request and deter-

1 mine that the major disaster will result in long-
2 term housing needs with respect to an area if
3 the President finds that the disaster will dis-
4 place individuals or households in the area from
5 their predisaster primary residences, or will
6 render such predisaster primary residences in
7 the area uninhabitable, for a period of 30 days
8 or more.”.

9 (g) CONFORMING AMENDMENT.—Section 408(b) of
10 the Robert T. Stafford Disaster Relief and Emergency As-
11 sistance Act (42 U.S.C. 5174), as amended by subsection
12 (f) of this section, is further amended by adding at the
13 end the following new paragraph:

14 “(4) HUD ADMINISTRATION.—In accordance
15 with section 2 of the Natural Disaster Housing Re-
16 form Act of 2006, in the case of any area for which
17 any major disaster is determined, pursuant to para-
18 graph (2), to result in long-term housing needs, the
19 President shall carry out the functions under this
20 section relating to housing assistance, including this
21 subsection and subsections (c) and (d), acting
22 through the Secretary of Housing and Urban Devel-
23 opment.”.

24 (h) SAVINGS PROVISION.—This section and the
25 amendments made by this section may not be construed

1 to affect, alter, limit, or decrease the authority of the Di-
2 rector of the Federal Emergency Management Agency for
3 the overall coordination of assistance and relief with re-
4 spect to a major disaster.

5 **SEC. 3. FEDERAL ASSISTANCE TO INDIVIDUALS AND**
6 **HOUSEHOLDS.**

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

10 (1) in subsection (b)—

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

14 “(C) MANUFACTURED MODULAR HOUS-
15 ING.—In making any determination of cost ef-
16 fectiveness under subparagraph (A), the Presi-
17 dent shall consider whether or not manufac-
18 tured modular housing can be provided to an
19 individual or household at a cost to the Govern-
20 ment that is less than the same cost necessary
21 to provide other readily fabricated dwellings.”;
22 and

23 (B) by adding at the end the following new
24 paragraphs:

25 “(5) CONSENT OF OWNER.—

1 “(A) IN GENERAL.—Notwithstanding para-
2 graph (2), the President shall seek the consent
3 of each individual or household prior to pro-
4 viding such individual or household with manu-
5 factured modular housing assistance.

6 “(B) REJECTION OF MANUFACTURED
7 MODULAR HOUSING ASSISTANCE.—If an indi-
8 vidual or household does not provide consent
9 under subparagraph (A), such individual or
10 household shall remain eligible for any other as-
11 sistance available under this section.

12 “(6) OWNER CONTRIBUTION.—Nothing in this
13 section shall be construed to prevent an individual or
14 household from contributing, in addition to any as-
15 sistance provided under this section, such sums as
16 are necessary in order to obtain manufactured mod-
17 ular housing that is of greater size or quality than
18 that provided by the President under this section.”;

19 (2) in subsection (c)—

20 (A) in paragraph (1)(A)(ii), by inserting
21 “the amount of any security deposit for the
22 accomodation, the amount of any utility fees as-
23 sociated with the accomodation, and” after
24 “plus”;

25 (B) in paragraph (2)—

- 1 (i) in subparagraph (A)—
2 (I) in clause (i), by striking “(i)”
3 and inserting “(i)(I)”;
4 (II) by redesignating clause (ii)
5 as subparagraph (II); and
6 (III) by adding at the end the
7 following new clause:
8 “(ii) the repair, to a safe and sanitary
9 living or functioning condition, of existing
10 rental units that, upon such repair, will be
11 used as alternate housing accommodations
12 for individuals or households described in
13 paragraph (1).”;
14 (ii) in subparagraph (B)—
15 (I) by striking “this paragraph”
16 and inserting “subparagraph (A)(i)”;
17 and
18 (II) by inserting “not” after
19 “can”; and
20 (iii) in subparagraph (C), by striking
21 “this paragraph” and inserting “subpara-
22 graph (A)(i)”;
23 (C) in paragraph (4)—

- 1 (i) in the paragraph heading, by in-
2 sserting “OR SEMI-PERMANENT” after
3 “PERMANENT”;
- 4 (ii) by inserting “or semi-permanent”
5 after “permanent”;
- 6 (iii) by striking “in insular areas” and
7 inserting the following: “in—
8 “(A) insular areas”;
- 9 (iv) by striking “(A) no alternative”
10 and inserting “(i) no alternative” and ad-
11 justing the margin accordingly;
- 12 (v) by striking “(B)” and inserting
13 “(ii)” and adjusting the margin accord-
14 ingly;
- 15 (vi) by striking the period at the end
16 and inserting “; and”; and
- 17 (vii) by adding at the end the fol-
18 lowing:
19 “(B) any area in which the President de-
20 clared a major disaster or emergency in connec-
21 tion with Hurricane Katrina of 2005 during the
22 period beginning on August 28, 2005, and end-
23 ing on December 31, 2007.”;
- 24 (3) in subsection (d)(1), by adding at the end
25 the following:

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

14 “(D) INDIVIDUAL SITES FOR MANUFAC-
15 TURED MODULAR HOUSING.—Manufactured
16 modular housing made available under this sec-
17 tion—

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

21 “(ii) may not be located on a site
22 that—

23 “(I) is managed by the Director;
24 and

1 “(II) contains 3 or more other
2 manufactured modular housing
3 units.”; and

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

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

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