

110TH CONGRESS  
1ST SESSION

# H. R. 3067

To amend the United States Housing Act of 1937 to exempt small public housing agencies from the requirement of preparing an annual public housing agency plan.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 17, 2007

Mr. NEUGEBAUER introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To amend the United States Housing Act of 1937 to exempt small public housing agencies from the requirement of preparing an annual public housing agency plan.

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 “Small Public Housing  
5 Authority Act”.

6 **SEC. 2. PUBLIC HOUSING AGENCY PLANS FOR CERTAIN**  
7 **SMALL PUBLIC HOUSING AGENCIES.**

8 (a) IN GENERAL.—Section 5A(b) of the United  
9 States Housing Act of 1937 (42 U.S.C. 1437c–1(b)) is

1 amended by adding at the end the following new para-  
2 graph:

3 “(3) EXEMPTION OF CERTAIN SMALL PHAS  
4 FROM FILING REQUIREMENT.—

5 “(A) IN GENERAL.—Notwithstanding para-  
6 graph (1) or any other provision of this Act—

7 “(i) the requirement under paragraph  
8 (1) shall not apply to any qualified small  
9 public housing agency; and

10 “(ii) except as provided in subsection  
11 (e)(4)(B), any reference in this section or  
12 any other provision of law to a ‘public  
13 housing agency’ shall not be considered to  
14 refer to any qualified small public housing  
15 agency, to the extent such reference ap-  
16 plies to the requirement to submit an an-  
17 nual public housing agency plan under this  
18 subsection.

19 “(B) CIVIL RIGHTS CERTIFICATION.—Not-  
20 withstanding that qualified small public housing  
21 agencies are exempt pursuant to subparagraph  
22 (A) from the requirement under this section to  
23 prepare and submit an annual public housing  
24 plan, each qualified small public housing agency  
25 shall, on an annual basis, make the certification

1 described in paragraph (15) of subsection (d) of  
2 this section, except that for purposes of such  
3 small public housing agencies, such paragraph  
4 shall be applied by substituting ‘the public  
5 housing program of the agency’ for ‘the public  
6 housing agency plan’.

7 “(C) DEFINITION.—For purposes of this  
8 section, the term ‘qualified small public housing  
9 agency’ means a public housing agency that  
10 meets all of the following requirements:

11 “(i) The sum of (I) the number of  
12 public housing dwelling units administered  
13 by the agency, and (II) the number of  
14 vouchers under section 8(o) of the United  
15 States Housing Act of 1937 (42 U.S.C.  
16 1437f(o)) administered by the agency, is  
17 250 or fewer.

18 “(ii) The agency is not designated  
19 pursuant to section 6(j)(2) as a troubled  
20 public housing agency.”.

21 (b) RESIDENT PARTICIPATION.—Section 5A of the  
22 United States Housing Act of 1937 (42 U.S.C. 1437c–  
23 1) is amended—

24 (1) in subsection (e), by inserting after para-  
25 graph (3) the following:

1           “(4) QUALIFIED SMALL PUBLIC HOUSING  
2 AGENCIES.—

3           “(A) IN GENERAL.—Except as provided in  
4 subparagraph (B), nothing in this section may  
5 be construed to exempt a qualified small public  
6 housing agency from the requirement under  
7 paragraph (1) to establish one or more resident  
8 advisory boards. Notwithstanding that qualified  
9 small public housing agencies are exempt pur-  
10 suant to subsection (b)(3)(A) from the require-  
11 ment under this section to prepare and submit  
12 an annual public housing plan, each qualified  
13 small public housing agency shall consult with,  
14 and consider the recommendations of the resi-  
15 dent advisory boards for the agency, in any de-  
16 terminations and actions of the agency regard-  
17 ing establishing goals, objectives, and policies of  
18 the agency.

19           “(B) APPLICABILITY OF WAIVER AUTHOR-  
20 ITY.—Paragraph (3) shall apply to qualified  
21 small public housing agencies, except that for  
22 purposes of such small public housing agencies,  
23 subparagraph (B) of such paragraph shall be  
24 applied by substituting ‘the functions described

1 in the second sentence of paragraph (4)(A)' for  
2 'the functions described in paragraph (2)'.

3 “(f) PUBLIC HEARINGS.—”; and

4 (2) in subsection (f) (as so designated by the  
5 amendment made by paragraph (1) of this sub-  
6 section), by adding at the end the following new  
7 paragraph:

8 “(5) QUALIFIED SMALL PUBLIC HOUSING  
9 AGENCIES.—

10 “(A) REQUIREMENT.—Notwithstanding  
11 that qualified small public housing agencies are  
12 exempt pursuant to subsection (b)(3)(A) from  
13 the requirement under this section to conduct a  
14 public hearing regarding the annual public  
15 housing plan of the agency, each qualified small  
16 public housing agency shall, not less than annu-  
17 ally, conduct a public hearing to discuss the  
18 goals, objectives, and policies of the agency, and  
19 any changes to such goals, objectives, and poli-  
20 cies, and to invite public comment regarding  
21 such issues.

22 “(B) AVAILABILITY OF INFORMATION AND  
23 NOTICE.—Not later than 45 days before the  
24 date of such a hearing, the qualified small pub-  
25 lic housing agency shall—

1           “(i) make all information relevant to  
2           the hearing and any determinations of the  
3           agency regarding the goals, objectives, and  
4           policies of the agency to be considered at  
5           the hearing available for inspection by the  
6           public at the principal office of the public  
7           housing agency during normal business  
8           hours; and

9           “(ii) publish a notice informing the  
10          public that (I) the information is available  
11          as required under clause (i), and (II) a  
12          public hearing under subparagraph (A) will  
13          be conducted.”.

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